Section 7
Hearing Officer's Report

CONNECTICUT DEPRTMENT OF ENERGY and ENVIRONMENTAL PROTECTION
PROPOSED REGULATION TO ESTABLISH A SLOW-NO-WAKE ZONE ON LAKE WARAMAUG
HEARING OFFICER'S REPORT
SUMMARY OF PUBLIC COMMENTS
EXPLANATORY STATEMENT FOR FINAL REGULATIONS
May 1, 2014

BOATING SAFETY
(Amendment of the Regulations of the Connecticut State Agencies to add Section 15-121-B15p)

Proposed: 1 October 2013
Public Hearing: 7 November 2013
Close of Comment: 6 January 2014

Background

Under Connecticut law (Section 15-121 of the General Statutes) the Commissioner of the Department of Energy and Environmental Protection (DEEP) has the duty to designate, and assist towns in designating, prohibited and restricted boating areas and waters limited to special boating purposes and prescribe uniform standards for the marking and regulation of such areas. Additionally, authority is given to the Commissioner to adopt regulations respecting the operation of vessels on any waterbody which lies within the territorial limits of two or more towns when petitioned by a town legislature acting in concert with its citizenry, provided certain preconditions are met (Section 15-136 of the General Statutes). This is the case here.

The former DEEP Commissioner, Daniel Esty, and his successor, Robert Klee, through a duly delegated proxy, herein consider a proposal to add Section 15-121-B15p to the Regulations of the Connecticut State Agencies to create a slow-no-wake zone in the cove of Lake Waramaug adjacent to Lake Waramaug State Park. The purpose of this regulation is to minimize user conflicts by controlling boat wakes from motorboats in an area frequented by bathers and occupants of manually-propelled vessels. This amendment is being proposed under the authority granted to the Commissioner in Section 15-121(b)(11) of the Connecticut General Statutes (CGS) and its proposal is compelled by the May 16, 2013 vote of the Town of Warren legislative body and petition of ten or more persons pursuant to CGS Section 15-136(b)(2) (Appendix A).

The proposed regulation under consideration reads as follows:

> (NEW) No person shall operate a motorboat in excess of Slow-No-Wake in the cove adjacent to Lake Waramaug State Park, as measured 1750 feet from the northernmost point of the cove to a midpoint between the shores and thence defined by a line running east to west to both shores.

A Notice of Intent to Make Regulations was posted on the website of the Secretary of the State on October 1, 2013, and concurrently on the DEEP website. As announced in the Notice of Intent, a public hearing (as required under CGS Section 15-136(b)(2)) was held on November 7, 2013, in the Town of Warren. The hearing was advertised in a local newspaper. Eleanor Mariani, Boating Division Director, was designated by Commissioner Esty to hear the matter and render this opinion on behalf of his office (Appendix B). Comments regarding the matter were accepted from October 1, 2013 to January 6, 2014.

In all, comments from 69 persons were received during the comment period. Written comments are presented in full and oral comments are presented in summary in Appendix D.

In this document the DEEP considers the arguments brought for and against the proposed measure, and the Hearing Officer renders her final opinion with respect to the viability of the proposed regulation in consideration of the discussion of arguments and her independent analysis of comments received during the comment period. Readers should note that what is being decided here is whether to advance the proposed regulation or an amended version for consideration by the legislature or whether to end the initiative at this time.

Support for the Proposal

During the comment period thirty-nine persons supported the proposal as written, two did not support the proposal but indicated that they might support a modified version, and twenty-eight persons opposed the proposal (see Exhibits 1-69, Appendix D). Arguments for the proposal were similar, closely following the sentiments of Mr. Dean Sarjeant (see Appendix D, Exhibit 8):

> "The DEEP has proposed to adopt a boating safety regulation to create a "slow no wake" zone in the northernmost portion of the arm of the lake adjacent to Lake Waramaug State Park. I fully support this initiative because of my concern that the operation of motorboats at higher speeds (often towing water-skiers or recreational floating devices) in the limited area of this narrow arm of the lake produces major wake and wave action creating a substantial risk of danger to occupants of "people powered" vessels, such as canoes, kayaks and rowboats, as well as to sailboats and swimmers concentrated in the State Park area. As a local fire-fighter and first responder it is my belief that this is an accident waiting to happen. I live on the lake and do a lot of boating here and can tell you that due to congestion I often avoid this neck of the lake. Please consider adopting this regulation before we do it reacting to an incident."

We believe this sufficiently captures the sentiments of the thirty-nine persons supporting this proposal, and now move to discuss the opposing arguments.

Opposition to the Proposal

As stated in the previous section, twenty-eight persons opposed the proposal outright (see Exhibits 40-67, Appendix D). Arguments against the proposal were varied, and fell roughly into ten different categories, which we identify and discuss below:

1. **The proposed regulation is arbitrary.** Several opponents of this proposal have opined that the proposed regulation is arbitrary (e.g. Exhibit 40A Appendix D). The American Heritage Dictionary of the English Language defines the word "Arbitrary" as "determined by whim or caprice." The northern portion of the state park cove is *targeted* in this proposal because swimmers and paddlecraft frequent the area and because water-skiers use the same area to make high speed turns. We note that duly authorized and trained law enforcement officers provided testimony that anticipates increasing user conflict specific to this confined area, and that this proposal is limited to approximately 5% of the lake's surface water area. We believe that this proposal is not arbitrary and we decline to give this argument further consideration.

2. **The proposed regulation is overly restrictive; user conflict is not a 365 day occurrence.** We note that several opponents acknowledge that there *is* user conflict, but only at certain predictable high-use times. We recognize the underlying point that a regulation that is more

limited in scope might serve to reduce user conflict without unduly burdening certain user groups. We take this point into further consideration.

3. **The location of the proposed Slow-No-Wake line forces motorboats to turn in front of my property, potentially causing harm to my property and danger to my family.** This argument has merit as well. In all rulemaking it is our intent to minimize the adverse impact of any proposed regulation to all user groups, where such efforts do not negate the safety improvements we are trying to achieve. We take this point into further consideration.

4. **There have been no accidents to date.** There have been no reported accidents to date. Testimony supports frequent "near misses" and conditions of wake-induced instability (e.g. Exhibit 25A, Appendix D). In addition, the testimonies of two duly authorized and trained law enforcement officers note increasing user conflict in this area and ask for the implementation of this regulation before such accidents occur (Exhibits 35 and 36, Appendix D). We defer to the professional opinion of the two law enforcement officers, and we decline to give this argument further consideration.

5. **Restriction on this part of the lake will result in a higher density of use elsewhere in the lake, creating a dangerous situation.** Numerous persons have made this argument (e.g. Exhibit 54B, Appendix D), however, the uses in that finger of the lake and, more specifically, in the proposed slow-no-wake area that comprises about 5 percent of the lake, will continue. There will be no exclusion of any vessel types. Powerboats can use the area at slow-no-wake speed. Those vessels engaged in skiing will be required to turn sooner, but still within the finger, so the expectation for a higher density of boats in other areas of the lake is without merit.

6. **Restriction of this part of the lake will result in a higher density of use elsewhere, possibly lowering property values and creating a fiscal impact.** DEEP had not considered the property value argument in its initial fiscal impact analysis, but it has now been considered. Under Connecticut law regarding the making of regulations, municipalities are required to provide a fiscal impact analyses upon request. As stated in CGS Section 4-168, "The governing body of any municipality, if requested, shall provide the agency, within twenty working days, with any information that may be necessary for analysis in preparation of such fiscal note." The DEEP made such a request to the towns of Washington, Warren and Kent on November 21, 2013. Only the First Selectman town of Warren responded, saying, "...I can see no fiscal impact to the Town of Warren..." (see certified letters and December 5, 2013 response, Appendix E). The question was asked and answered. The DEEP anticipates no fiscal impact, and we decline to give this argument further consideration.

7. **Allowing this restriction would open the door to additional regulation.** Pursuant to CGS Section 15-136(b)(2) (Appendix A), a vote of a local legislative body and the petition of ten or more citizens would be the impetus for DEEP to consider any additional regulations. Lake Waramaug currently has no special boat operation restrictions. The area proposed was the only one identified by local law enforcement and local users as needing restriction for speed. DEEP would oppose the outright banning of any type of vessel or the arbitrary restriction of boating rights anywhere on the lake. We respectfully decline to give this argument further consideration at this point.

8. **There is no need for this regulation, there is already a 100 or 200 foot standoff regulation for a vessel underway from another vessel underway.** No such regulation exists. While local documents suggest that there is a vessel standoff requirement (see Exhibit 41G, Appendix D), there is no such regulation. So while boaters who have read this incorrect information and operate their vessels accordingly may be safer, there can be no expectation that someone who has not read this information, and who is still operating legally, will behave in the same way. Enforcement of existing regulations has not remedied the problems identified and targeted in this proposal. We give this argument no further consideration.

9. **The fault lies with untrained canoeists and kayakers, and such vessels should be restricted to close-to-shore operation.** It is the responsibility of the DEEP to ensure that all user groups have access to the waters of the state, and that none are excluded or marginalized, subject to local safety considerations. It is every boater's responsibility to operate in a manner that is safe for themselves and for other user groups sharing the same waters. We will not consider marginalizing the rights of operators in manually propelled vessels - whether they are experienced or not - to alleviate users of motorboats from their duty to boat responsibly and prevent harm to others. We decline to give this argument any further consideration.

10. **There is no need for this regulation as it is a construct of Trooper Steve Sordi's bias.** Trooper Sordi is a trained and duly authorized Officer of the Law who is sworn to protect life and property, and who is trained to observe behavior and assess risk. We accept that his support of this measure is meant in the interest of protection of life and property and that his support is informed by his professional training and experience. We decline to give this argument any further consideration.

Hearing Officer's Statement

The north western end of the lake was identified by marine patrol officers who have jurisdiction and authority for enforcement of the entire lake (Exhibits 35 and 36, Appendix D) as an area with user conflicts and in need of regulation. No other area was identified by the officers. No other area besides the north western end of the lake was noted by First Selectman of Washington (Exhibit 1, Appendix D) or Warren (Exhibit 2, Appendix D), or by the Lake Waramaug Authority (Exhibits 5 and 10, Appendix D) as needing additional regulation. Under Connecticut law (CGS Section 7-151a) a lake authority's responsibility is to act as agent for the member towns in cooperation with the Commissioner of Energy and Environmental Protection in the enforcement of the boating laws on such water. We rely on the partnership of marine patrol and local lake authorities to understand and bring to our attention local issues.

In looking at the configuration of the lake and giving regard to comments made in support of the regulation, this narrow end of the lake was identified as a congested area with potential user conflicts from a mixed user group that includes experienced paddlers, novice paddlers, swimmers, rowing clubs/schools, operators of motorized vessels and water skiers. Marine patrol officers indicated that much of their time had to be spent in this area to ensure the safety of all user groups.

Generally, opposing groups indicated that they did not see this area as problematic, did not want to be excluded from high speed activities on any portion of the lake and had concerns that congestion would be shifted. Several commenters noted that a year round full-time restriction is an "overkill" (Exhibits 48, 49, 69, Appendix D), with one commenter noting that he skis on the lake from May through November (Exhibit 49B, Appendix D).

To assist me in making an equitable and informed decision I reviewed and considered all comments offered during the comment period; I viewed the proposed slow-no-wake area on available mapping and satellite photographs noting that the 1,750 foot line fell just north of a residential dock on the finger's east side; I contacted the State Park personnel to obtain information about the seasonality of the water uses and to pinpoint the location of the swim area and concessionaire rental; and, I reviewed the existing permit for 10 slow-no-wake buoys in front of the State Park.

Based on this information, I had concluded that a demarcation line set at 1,750 feet would cause vessels to turn in front of the residential dock, taking into consideration that that water ski tow ropes are typically approximately 75 feet in length (and not to exceed 100 feet), potentially resulting in an unnecessary impact to private property. Therefore I considered whether moving the line might accomplish the same safety goals without unnecessarily impacting private property. I conclude that changing the location of the demarcation line of the proposed slow-no-wake zone from 1,750 feet to 1,300 feet would serve several purposes. It would protect the swim area and concession area and a portion of the mooring area for the up to 13 vessels that belong to campers. It would also encourage boats at speed, and more specifically boats at speed engaged in water skiing, to turn in the widest portion of the cove, thereby potentially increasing safety for all users. Finally, it would eliminate potential impacts to private property.

Additionally, I recommend in the interest of fairness to all user groups that the restriction be in place only from May 15 to September 15 of each year, thereby accommodating waterskiing in the regulated area at the beginning and end of the water skiing season, and allowing the State Park staff time to place and remove Slow-No-Wake markers outside of holiday weekends when such activity would be disruptive to lake users and to park staff alike. While the proposed restriction would be in force whether the markers are there or not, the State Park indicated that their intent would be to have them in place by the Memorial Day weekend by the latest and to remove the markers after Labor Day weekend at the earliest.

The proposed regulation, amended in consideration of the preceding discussion, now reads as follows:

> No person shall operate a motorboat on Lake Waramaug in excess of slow-no-wake from May 15 through September 15, inclusive, in the cove adjacent to Lake Waramaug State Park north of a line that is perpendicular to a line bearing 145 degrees and passing through a point that is located 1,300 feet from the northernmost reach of the cove and midway between the shores of the cove.

The amended proposed regulation and all required associated materials, amended accordingly, are included as Appendix F.

Hearing Officer's Recommendations

The hearing officer has reviewed comments received at the 7 November 2013 public hearing and written comments received as of 4:00 p.m. on 6 January 2014. Responses to comments germane to the proposed regulations noticed on 1 October 2014 have been addressed to my satisfaction.

Based on review of the information and the aforementioned explanations, this hearing officer recommends that the Commissioner of Energy and Environmental Protection proceed with the proposed amendment to the regulations governing the boating safety, as amended herein.

5/12/14
Date

Eleanor C. Mariani
Designated Hearing Officer
Director, Boating Division

APPENDIX A
FOUNDATIONAL DOCUMENTS

STATUTORY BASIS (CGS Section 15-136)
NOTIFICATION OF TOWN OF WARREN VOTE &
PETITION OF TEN OR MORE PERSONS

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Section 15-136 of the Connecticut General Statutes

Sec. 15-136. Ordinances and regulations. (a) Any town, by ordinance, may make local regulations respecting the operation of vessels on any body of water within its territorial limits. Upon adoption, each such ordinance shall be submitted to the commissioner and, if not disapproved by him within sixty days thereafter, shall take effect as provided in subsection (c) of this section. The commissioner may disapprove any ordinance or part thereof which he finds to be arbitrary, unreasonable, unnecessarily restrictive, inimical to uniformity or inconsistent with the policy of this part.

(b) The commissioner may adopt regulations, in accordance with the provisions of chapter 54, respecting the operation of vessels on any body of water which lies within the territorial limits of two or more towns (1) when no local regulations exist or (2) when such action is required to establish uniformity in the boating regulations of the several towns. *Any town, by vote of its legislative body, and any group of ten or more interested persons may petition the commissioner for the adoption, amendment or repeal of the regulations. The commissioner shall hold a public hearing on each such petition in the petitioning town or in one of the towns which will be affected, giving all interested persons an opportunity to present their views. Notice of such hearing, stating the date, time and place thereof and the substance of the proposed regulation, shall be published at least ten days prior thereto in a newspaper of general circulation in the town or towns which will be affected.*

(c) All regulations adopted pursuant to the provisions of this section shall take effect upon their publication and posting as required by section 15-138.

(emphasis added)

Town of Warren

Selectman's Office
50 Cemetery Rd
Warren CT 06754
860-868-7881

Whalen
13-81
6-25-13

June 03, 2013

Hon. Daniel C. Esty, Commissioner
Department of Energy and Environmental Protection
79 Elm Street
Hartford, CT 06106-5127

Petition Pursuant to Section 15-136(b) CGS
for Adoption of a Regulation Establishing
a "Slow-No-Wake" Zone in a portion of
Lake Waramaug (Warren-Washington-Kent)

Dear Commissioner Esty:

At its meeting duly held on May 16, 2013, the Town Meeting of the Town of Warren, Connecticut, being the legislative body of the Town, adopted the following resolution by vote of the meeting:

> "To request that the Commissioner of the State Department of Energy and Environmental Protection adopt a regulation establishing a "Slow-No-Wake" In the cove adjacent to Lake Waramaug State Park, as measured 1750 feet from the northernmost point of the cove to a midpoint between the shores and thence defined by a line running east and west to both shores. The definition of "Slow-No-Wake" as defined in Regulations of the Connecticut State Agencies Section 15-121-A1, as amended, is hereby incorporated by Reference."

This resolution is intended by the Town Meeting to constitute the petition for adoption of a regulation contemplated by Section 15-136(b) CGS. Lake Waramaug lies within the territorial limits of three towns: Warren, Washington and Kent (the "Lake Towns"). No local regulation on this subject exists in any of the Lake Towns. Accordingly, under the statute, the Commissioner may adopt a regulation of the type requested respecting the operation of vessels on Lake Waramaug.

We are enclosing the following in support of this petition:

1. Statement of the Lake Waramaug Authority setting forth the reasons why the requested regulation is necessary and appropriate.
2. Petitions of a group of more than ten interested persons (4 pages) requesting the adoption of a regulation, in accordance with Section 15-136(b) CGS.

This petition is supported by the undersigned and by Mark E. Lyon and Bruce K. Adams, First Selectmen of Washington and Kent, respectively, being the First Selectmen of all of the Lake Towns.

Your advice concerning proceedings in respect of this petition will be appreciated.

Very truly yours,

Jack E. Travers

Jack E. Travers
First Selectman

STATEMENT OF LAKE WARAMAUG AUTHORITY
IN SUPPORT OF ESTABLISHMENT OF A SLOW-NO-WAKE ZONE
IN A PORTION OF LAKE WARAMAUG

We are writing on behalf of the Lake Waramaug Authority concerning a serious water safety problem which has become a matter of concern to us and to propose regulatory action which we believe would be helpful in substantially reducing the danger and risk to users of the lake. The Lake Waramaug Authority was established pursuant to State statute by ordinances of the Towns of Warren, Washington and Kent to act as agent of the towns in connection with the enforcement of State boating laws.

The problem. As you know, Lake Waramaug is a popular destination for engaging in a broad variety of marine activities, ranging from swimming and the operation of small "people-powered" vessels (canoes, kayaks, rowing sculls, and the like) and sailboats to large motor boats, many towing water-skiers and tubers. These varied uses are particularly concentrated together in the northern portion of the narrow arm of the lake in which Lake Waramaug State Park is located.

Over the past five years, we have witnessed a marked increase in this arm of the lake in the number of people-powered small vessels being launched from the State Park by campers and park visitors. The State Park's canoe and kayak concession has been busy, and more than ever day-trippers and campers are carrying in their own small paddle-type vessels. At the same time, motor boat and water-skiing activity has also increased. Such activity creates substantial wakes and wave action which puts the operators of the small people-powered vessels at significant risk. This increased use has heightened our concern over the conflict between casual paddle boaters and motor boats moving through this narrow arm of the lake.

Times of highest conflict and risk are, of course, during busy summer days. Especially during these times we have witnessed several close call run-ins between motor boats and small craft. It is clear that many of the paddle-type boaters at Lake Waramaug are inexperienced and can be caught off-guard with first encounters with motor boat wave action.

Initial response. In response to these concerns, the Lake Waramaug Authority's marine patrol has increased its surveillance of this arm of the lake enforcing boating regulations .While this has helped, the Authority has limited patrol time and resources and cannot be stationed at all times during busy boating days at the State Park arm of the lake.

Proposed action to promote safety in the northern portion of the State Park arm of the lake. Waramaug is an attractive lake, a "jewel in the crown" of Northwest Connecticut, with a beautiful State Park designed for carry-on boating of people-powered vessels.

Accordingly, we expect this motor boat – paddle boat conflict to continue and increase in the coming years.

To promote safety of ***all*** users of this portion of the narrow and busy arm of the lake, and based upon our familiarity with the lake and its boating patterns, we recommend that:

a "Slow-No-Wake" zone be established covering that portion of the State Park arm of the lake measured from the northern tip (adjacent to North Shore Road in Warren) and running shore-to-shore 1,750 feet south measured along the lake centerline.

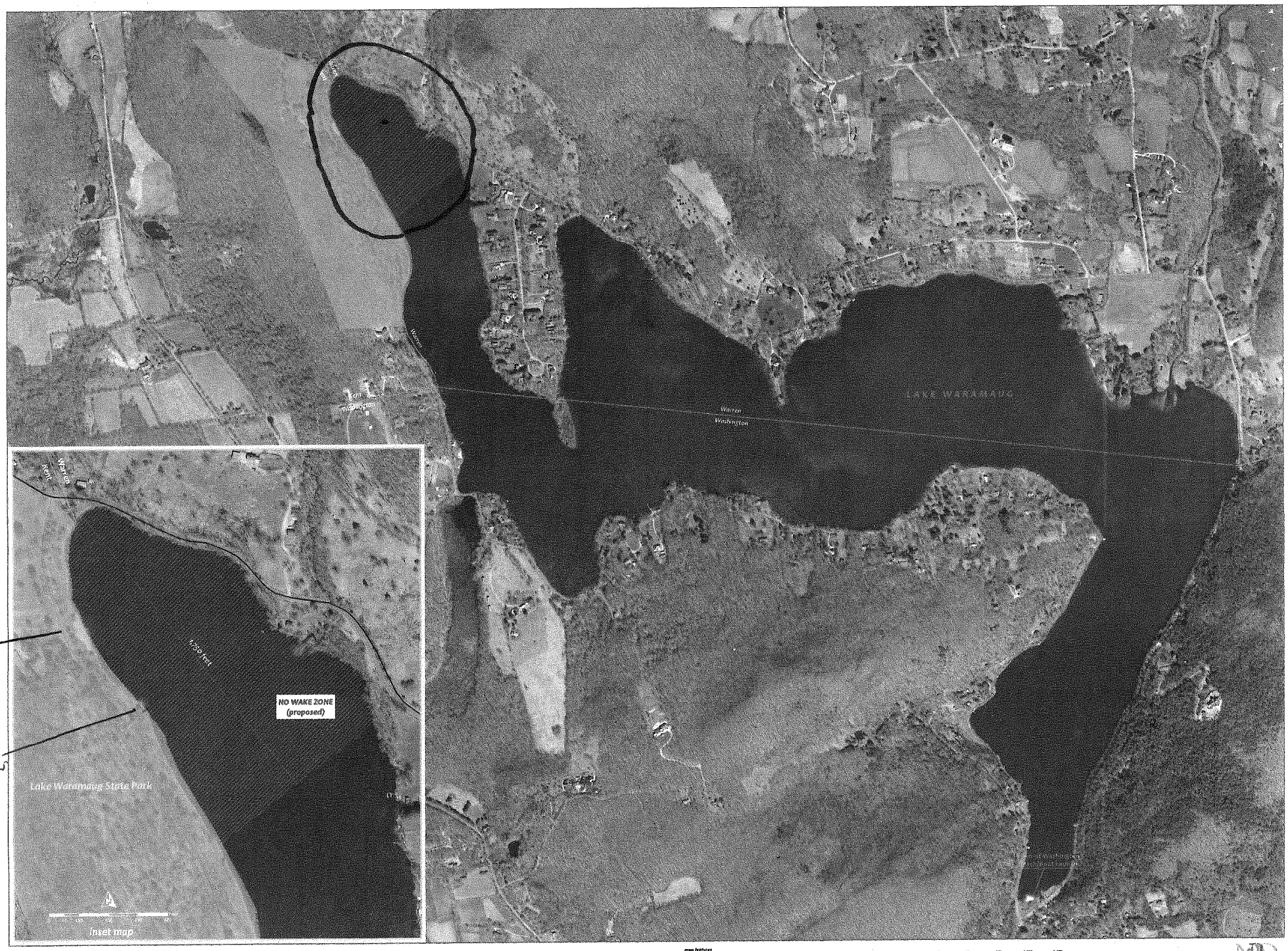
This delineation provides an ample safe zone for paddle boaters to enjoy while still providing motor boat access to the remaining portion of the State Park lakefront and the balance of this arm of the lake, as well as the rest of the lake. It would also reduce risk to swimmers who swim outside of the roped State Park swim area. An aerial photograph of the lake, marked to show the affected area, is attached.

Lake Waramaug was designated in 2000 as the State's first Heritage Lake under the 1999 Heritage Lake Act. We believe that the designation of the requested Slow-No-Wake zone will further the safe and balanced recreational use of Lake Waramaug consistent with the policy of the Heritage Lake Act for cooperation between the State and the lake towns "to promote and encourage public use and enjoyment" of the lake and to "protect and preserve [its] character".

Edgar R. Berner
Chairman

Stephen F. Sordi
State Trooper First Class
Supervisor, Marine Patrol

P.S. An environmental benefit of the "Slow-No-Wake" zone is that it will protect against further erosion along the State Park shoreline. That area is subject to erosion from wave action because there is little rooted vegetation on the closely-mowed, heavily used shoreline. In the mid-80s, a State funded renovation was completed involving regrading of the shoreline slopes and the imbedding of honeycombed concrete blocks which were backfilled with soil and seeded to stabilize the shoreline. While that work requires longer term renewal, reduction of motor boat wave action will have an immediate beneficial effect.



Lake Waramaug:
Proposed SLOW NO WAKE Boating Zone

map features
- municipal boundary
- SLOW NO WAKE zone
- Lake Waramaug State Park

0 150 700 1,050 1,400 feet

PETITION TO THE COMMISSIONER OF THE STATE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION:

To promote the safety of ***all*** users within the narrow and busy cove of Lake Waramaug adjacent to the Lake Waramaug State Park, we the undersigned hereby endorse the recommendation of the Lake Waramaug Authority that a Slow-No-Wake boating zone be established therein and petition the Commissioner of the State Department of Energy and Environmental Protection to adopt a regulation establishing such zone as follows, with such changes therein as the Commissioner may deem appropriate:

"Slow-No-Wake in the cove adjacent to Lake Waramaug State Park, as measured 1750 feet from the northernmost point of the cove to a midpoint between the shores and thence defined by a line running east and west to both shores. The definition of "Slow-No-Wake" as defined in Regulations of the Connecticut State Agencies Section 15-121-A1, as amended, is hereby incorporated by reference."

NAME AND ADDRESS (PLEASE PRINT) **SIGNATURE**

x RICHARD W LOUGHNEY (Name-Print) (Signature)

25 ARROWPOINT ROAD WARREN CT. 06777 (Address)

MARY E. LOUGHNEY (Name)

25 ArrowPoint Road Warren, CT. 06777 (Address)

Lisa Cornelio (Name)

61 Mtn Lake Rd Warren CT (Address)

Richard Kleinberg (Name)

145 West Shore Rd, New Preston CT (Address)

PETITION TO THE COMMISSIONER OF THE STATE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION:

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NAME AND ADDRESS (PLEASE PRINT) **SIGNATURE**

GAIL H. BERNER — Gail H. Berner
(Name-Print) WARREN (Signature)

6 NORTH SHORE RD, NEW PRESTON, CT 06777
(Address)

Edgar R. Berner — ERB
(Name) WARREN

6 No. Shore Rd New Preston CT 06777
(Address)

KENNETH A. HECKEN — Kenneth A. Hecken
(Name) WARREN

37 No. Shore Road, New Preston, CT 06777
(Address)

AUDREY HECKEN — Audrey Hecken
(Name)

37 NORTH SHORE RD WARREN, CT. 06777
(Address)

PETITION TO THE COMMISSIONER OF THE STATE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION:

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NAME AND ADDRESS (PLEASE PRINT) **SIGNATURE**

DAVID C ROBINSON
(Name-Print) (Signature)

211 NORTH SHORE RD WARREN CT.
(Address)

MARGARET W FIELD Margaret W. Field
(Name)

211 NORTH SHORE RD. WARREN CT.
(Address)

DOROTHY HAMILTON
(Name)

108 North Shore Road, New Preston
(Address)

Ann Quackenbos Ann Quackenbos
(Name)

145 W. Shore Road New Preston
(Address)

RECEIVED
JUN 10 2013
DEPT OF ENVIRONMENTAL PROTECTION

PETITION TO THE COMMISSIONER OF THE STATE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION:

To promote the safety of ***all*** users within the narrow and busy cove of Lake Waramaug adjacent to the Lake Waramaug State Park, we the undersigned hereby endorse the recommendation of the Lake Waramaug Authority that a Slow-No-Wake boating zone be established therein and petition the Commissioner of the State Department of Energy and Environmental Protection to adopt a regulation establishing such zone as follows, with such changes therein as the Commissioner may deem appropriate:

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NAME AND ADDRESS (PLEASE PRINT) **SIGNATURE**

PAUL R. FRANK — Paul R. Frank
(Name-Print) (Signature)

157 WEST SHORE ROAD, NEW PRESTON CT 06777
(Address)

Linda M. Frank — Linda M Frank
(Name)

157 West Shore Road, New Preston, CT 06777
(Address)

Rodman B. Funston — R B Funston
(Name)

294 West Shore Rd New Preston, CT 06777
(Address)

SIDNEY R. FUNSTON — Sidney R. Funston
(Name)

294 W. SHORE Rd, New Preston, CT 06777
(Address)

APPENDIX B
DRAFT REGULATORY PROPOSAL

NOTICE OF INTENT (3)
PROPOSED REGULATION / STATEMENT OF PURPOSE
MAP
DRAFT FISCAL ESTIMATE
DRAFT SMALL BUSINESS IMPACT STATEMENT

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Connecticut Department of
ENERGY &
ENVIRONMENTAL
PROTECTION

Boating Division

333 Ferry Road • Old Lyme, CT 06371 www.ct.gov/deep Affirmative Action/Equal Opportunity Employer

Notice of Intent to Amend the Boating Safety Regulations to Create a Slow-No-Wake Zone on Lake Waramaug, Warren

In accordance with section 4-168 of the Connecticut General Statutes (CGS) the Commissioner of the Department of Energy and Environmental Protection (DEEP) hereby gives notice of his intent to add Section 15-121-B15p to the Regulations of the Connecticut State Agencies to create a slow-no-wake zone in the cove of Lake Waramaug adjacent to Lake Waramaug State Park. This amendment is being proposed under the authority granted to the Commissioner in CGS Section 15-121(b)(11) and pursuant to a vote of the town legislative body and petition of ten or more persons requesting the subject action under CGS Section 15-136.

Description: Under this proposal, a Slow-No-Wake zone will be implemented on Lake Waramaug in the northern portion of the cove adjacent to Lake Waramaug State Park, for the purpose of minimizing user conflicts by controlling boat wakes from powerboats in an area frequented by bathers and occupants of manually-propelled vessels.

The proposal of this amendment follows the May 16, 2013 vote of the Town of Warren legislative body and petition of ten or more persons pursuant to CGS Section 15-136(b)(2). There is no anticipated fiscal impact to the municipality or to the State. There is no anticipated adverse impact to small business.

Written Comments: All interested persons are invited to submit comments regarding the proposed amendment to the DEEP-Marine Headquarters, 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 between 8:00 AM on the November 1, 2013 and 4:00 PM on November 22, 2013. Comments may be submitted by post, facsimile to (860) 434-3501 or by electronic mail to timothy.delgado@ct.gov. Only those written comments containing the name and address of the commenter will be considered.

Public Hearing: 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
November 8, 2013
6:30 PM
Warren Community Center
7 Sackett Hill Road
Warren, CT

Copies of the proposed amendment, the associated fiscal and small business impact statements, and statement required under 22a-6(h) are available for public inspection during normal business hours and may

be obtained from Timothy Delgado at the DEEP Marine Headquarters located at 333 Ferry Road, Old Lyme, Connecticut, 06371. The same documents will be posted on DEEP's website.

DEEP is an Affirmative Action/Equal Opportunity Employer that is committed to complying with the requirements of the Americans with Disabilities Act. Any person with a disability who may need a communication aid or service may contact DEEP's ADA Coordinator at 860-424-3194 or at deep.hrmed@ct.gov. Any person needing a hearing accommodation may call the State of Connecticut relay number - 711. Any person with limited proficiency in English, who may need information in another language, may contact DEEP's Title VI Coordinator at 860-424-3035 or at deep.aaoffice@ct.gov. ADA or Title VI discrimination complaints may be filed with DEEP's EEO Manager at 860-424-3035 or at deep.aaoffice@ct.gov. Requests for accommodations must be made at least two weeks prior to any agency hearing, program or event.

Susan Whalen for Daniel C. Esty

Daniel C. Esty
Commissioner

Sept. 13, 2013

Date

Connecticut Department of
ENERGY &
ENVIRONMENTAL
PROTECTION

Boating Division

333 Ferry Road • Old Lyme, CT 06371 www.ct.gov/deep Affirmative Action/Equal Opportunity Employer

Notice of Extended Comment Period

The Department of Energy and Environmental Protection (DEEP) hereby gives notice that the comment period identified in the Notice of Intent to add Section 15-121-B15p to the Regulations of the Connecticut State Agencies to create a slow-no-wake zone in the cove of Lake Waramaug adjacent to Lake Waramaug State Park has been extended. The original comment period was identified as November 1, 2013 to 4:00 PM November 22, 2013

Comments will now be accepted from October 1, 2013 to 4:00 PM November 22, 2013.

Written Comments: All interested persons are invited to submit comments regarding the proposed amendment to the DEEP-Marine Headquarters, Boating Division, P.O. Box 280, Old Lyme, CT 06371. All comments should be directed to the attention of Timothy Delgado. Comments may be submitted by post, facsimile to (860) 434-3501 or by electronic mail to timothy.delgado@ct.gov. Only those written comments containing the name and address of the commenter will be considered.

Public Hearing: 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
November 8, 2013
6:30 PM
Warren Community Center
7 Sackett Hill Road
Warren, CT

Copies of the proposed amendment, the associated fiscal and small business impact statements, and statement required under 22a-6(h) are available for public inspection during normal business hours and may be obtained from Timothy Delgado at the DEEP Marine Headquarters located at 333 Ferry Road, Old Lyme, Connecticut, 06371. The same documents will be posted on DEEP's website.

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Connecticut Department of
ENERGY &
ENVIRONMENTAL
PROTECTION

Boating Division

333 Ferry Road • Old Lyme, CT 06371 www.ct.gov/deep Affirmative Action/Equal Opportunity Employer

Proposed Slow-No-Wake Zone on Lake Waramaug, Town of Warren

Notice of Second Extension of Comment Period

The Department of Energy and Environmental Protection (DEEP) hereby gives notice that the comment period identified in the Notice of Intent to add Section 15-121-B15p to the Regulations of the Connecticut State Agencies to create a slow-no-wake zone in the cove of Lake Waramaug adjacent to Lake Waramaug State Park has been extended for 45 days upon request and to ensure those citizens who may wish to provide comment have time to do so. While DEEP's prior notifications met legal requirements, extension of the comment period to January 6, 2014 is expected to generate additional input from the using public and is therefore, approved.

The original comment period was identified as November 1, 2013 to 4:00 PM November 22, 2013 and then broadened to October 1, 2013 to November 22, 2013 under a first extension. The comment period will now be extended as follows:

Written comments will now be accepted from October 1, 2013 to 4:00 PM January 6, 2014.

Written Comments: All interested persons are invited to submit comments regarding the proposed amendment to the DEEP-Marine Headquarters, Boating Division, P.O. Box 280, Old Lyme, CT 06371. All comments should be directed to the attention of Timothy Delgado. Comments may be submitted by post, facsimile to (860) 434-3501 or by electronic mail to timothy.delgado@ct.gov. Only those written comments containing the name and address of the commenter will be considered.

Copies of the proposed amendment, the associated fiscal and small business impact statements, and statement required under 22a-6(h) are available for public inspection during normal business hours and may be obtained from Timothy Delgado at the DEEP Marine Headquarters located at 333 Ferry Road, Old Lyme, Connecticut, 06371. The same documents will be posted on DEEP's website.

DEEP is an Affirmative Action/Equal Opportunity Employer that is committed to complying with the requirements of the Americans with Disabilities Act. Any person with a disability who may need a communication aid or service may contact DEEP's ADA Coordinator at 860-424-3194 or at deep.hrmed@ct.gov. Any person needing a hearing accommodation may call the State of Connecticut relay number - 711. Any person with limited proficiency in English, who may need information in another language, may contact DEEP's Title VI Coordinator at 860-424-3035 or at deep.aaoffice@ct.gov. ADA or Title VI discrimination complaints may be filed with DEEP's EEO Manager at 860-424-3035 or at deep.aaoffice@ct.gov. Requests for accommodations must be made at least two weeks prior to any agency hearing, program or event.

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

NAME OF AGENCY

Department of Energy and Environmental Protection

Concerning

SUBJECT MATTER OF REGULATION

Lake Waramaug Slow-No-Wake Zone

Section 15-121-B15p of the Regulations of the Connecticut State Agencies is added as follows:

(NEW) No person shall operate a motorboat in excess of Slow-No-Wake in the cove adjacent to Lake Waramaug State Park, as measured 1750 feet from the northernmost point of the cove to a midpoint between the shores and thence defined by a line running east to west to both shores.

DRAFT

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.

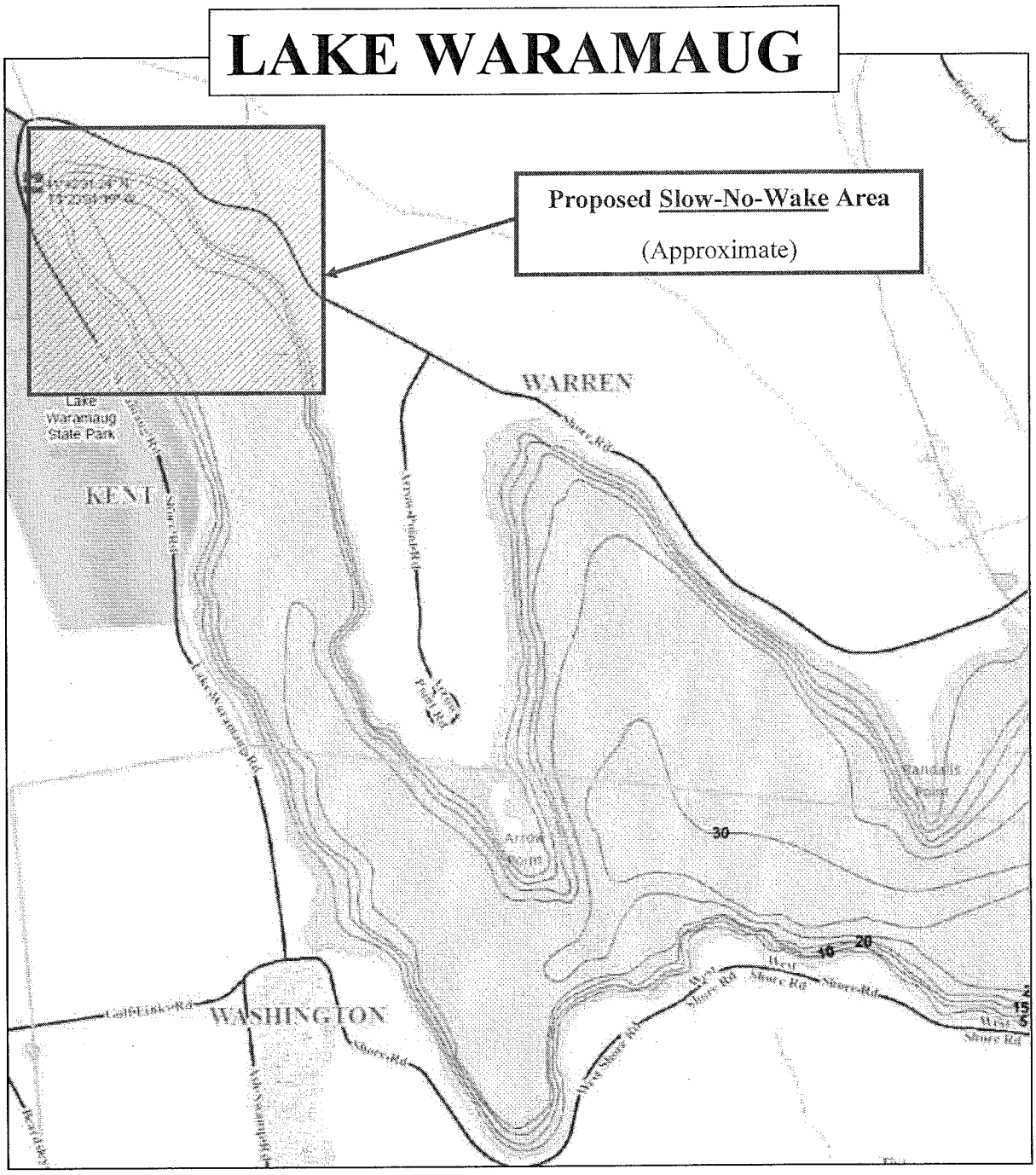
Under this proposal, the boating safety regulations will be amended to add a Slow-No-Wake zone on Lake Waramaug in the northern portion of the cove adjacent to Lake Waramaug State Park, for the purpose of minimizing user conflicts by controlling boat wakes from powerboats in an area frequented by bathers and occupants of manually-propelled vessels. The term "Slow-No-Wake" is defined in Section 15-121-A1 of the Regulations of the Connecticut State Agencies.

The proposal of this amendment as written is compelled by the 16 May 2013 vote of the Town of Warren legislative body and petition of ten or more persons, as prescribed under Section 15-136(b)(2).

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

This proposal is offered under the authority granted to the Commissioner in Section 15-121(b)(11) of the General Statutes.

DRAFT



Lake Waramaug Proposed Regulation:

(NEW) No person shall operate a motorboat in excess of Slow-No-Wake* in the cove adjacent to Lake Waramaug State Park, as measured 1750 feet from the northernmost point of the cove to a midpoint between the shores and thence defined by a line running east to west to both shores.

"Slow-No-Wake**" means that a vessel shall not produce more than a minimum wake and shall not attain speeds greater than 6 miles per hour over the ground unless a higher minimum speed is necessary to maintain steerageway when traveling with a strong current. In no case shall the wake produced by the vessel be such that it creates a danger of injury to persons, or will damage vessels or structures of any kind. (RCSA Sec. 15-121-A1)*

AGENCY FISCAL ESTIMATE OF PROPOSED REGULATION

Agency Submitting Regulation: Department of Energy and Environmental Protection **Date:** 30 July 2013

Subject Matter of Regulation: Boating Safety – Lake Waramaug Slow-No-Wake Zone

Regulation Section No.: Adding section 15-121-B15p

Statutory Authority: CGS Section 15-121(b)(11), CGS Section 15-136(b)(2)

Other Agencies Effected: None

Effective Date Used In Cost Estimate: 3 July 2013

Estimate Prepared By: Eleanor C. Mariani, Director, Boating Division **Telephone No.:** 860-434-8638

ESTIMATE OF COST OR REVENUE IMPACT OF PROPOSED REGULATION

Agency: Energy and Environmental Protection **Fund Affected:** None

	First Year	Second Year	Full Operation
Number of Positions	0	0	0
Personal Services	0	0	0
Other Expenses	0	0	0
Equipment	0	0	0
Grants	0	0	0
Total State Cost	0	0	0
Estimated Revenue Gain	0	0	0
Total Net State Cost	0	0	0

Explanation of State Impact of Regulation:
No fiscal impact to the State is anticipated.

Explanation of Municipal Impact of Regulation:
No fiscal impact to the municipality is anticipated.

Explanation of Small Business Impact of Regulation:
No adverse impact to small business is anticipated.

Is a regulatory flexibility analysis required pursuant to C.G.S. 4-168a?
No regulatory flexibility analysis is required.

SMALL BUSINESS IMPACT STATEMENT

30 July 2013

Subject matter of Regulation:

Lake Waramaug Slow-No-Wake Zone

Addition of RCSA 15-121-B15p (new)
Authority by CGS Section 15-121(b)(11) and Section 15-136(b)(2)
Rev. Date 3 July 2013

State Agency submitting proposed regulations:

Department of Energy and Environmental Protection
Boating Division
P.O. Box 280
Old Lyme, CT 06371

Eleanor C. Mariani, Boating Director (860) 434-8638
Robert LaFrance, Legislative Liaison, (860) 424-3401

Prior to adopting a new section or amendment to a regulation, Section 4-168a of the Connecticut General Statutes (C.G.S.) requires that each state agency consider the effect of such action on small businesses as defined in C.G.S. Section 4-168a. When such regulatory action may have an adverse effect on small businesses, C.G.S. Section 4-168a directs the agency to consider regulatory requirements that will minimize the adverse impacts on small businesses if the addition of such requirements (1) will not interfere with the intended objectives of the regulatory action and (2) will allow the new section or amendment to remain consistent with public health, safety and welfare.

Small Business Impact Statement:

In accordance with C.G.S. Section 4-168a, staff analyzed the effect on small businesses of the proposed regulations and determined the following:

The regulatory action will not have an effect on small businesses.

Because the proposed regulation will have no effect on small business, the Department of Economic and Community Development (DECD) is not required to be notified of the proposed action and no regulatory flexibility analysis is proffered. An agency fiscal estimate has been completed.

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APPENDIX C
HEARING RELATED DOCUMENTS

NEWSPAPER NOTICE OF HEARING
HEARING OFFICER DELEGATION
CGS Section 22a-6(h) STATEMENT
HEARING SIGN-UP SHEETS

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Notice of Hearing Regarding
a Proposal to Create a
Slow-No-Wake Zone on
Lake Waramaug, Warren

The Department of Energy and Environmental Protection (DEEP) is proposing to create a slow-no-wake zone in the northern end of the cove of Lake Waramaug that is adjacent to Lake Waramaug State Park. The purpose of the proposed slow-no-wake zone is to minimize user conflicts by controlling boat wakes from powerboats in an area frequented by bathers and occupants of manually-propelled vessels.

DEEP will hold a public hearing to take testimony from interested parties at the following time and place:

PUBLIC HEARING

November 8, 2013
6:30 PM
Warren Community Center
7 Sackett Hill Road
Warren, CT

The Commissioner requests that any person giving oral comment at the hearing also submit a written copy of such comments.

Please note that the hearing format does not allow for question and answer, therefore DEEP recommends that interested parties review the text of the proposed amendment prior to the hearing. A copy of the proposed amendment is available on the DEEP website at http://www.ct-gov/deep/cwp/view.asp?A=2586&Q=532880 or may be obtained from Timothy Delgado at the DEEP Marine Headquarters located at 333 Ferry Road, Old Lyme, Connecticut, 06371, by email at timothy.delgado@ct.gov. or by telephone (860) 447-4354.
The Connecticut Department of Energy and Environmental Protection is an Affirmative Action/Equal Opportunity Employer that is committed to complying with the requirements of the Americans with Disabilities Act. Please contact us at (860) 418-5910 or deep.accommodations@ct.gov if you: have a disability and need a communication aid or service; have limited proficiency in English and may need information in another language; or if you wish to file an ADA or Title VI discrimination complaint. Any person needing a hearing accommodation may call the State of Connecticut relay number - 711. Requests for accommodations must be made at least two weeks prior to any agency hearing, program or event.
R-A October 25, 2013

Waterbury Republican
Issue: 10-25-13
Price: $219.22

Connecticut Department of
ENERGY &
ENVIRONMENTAL
PROTECTION

Boating Division

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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 **November 8, 2013** and to render a decision regarding the proposed addition of Section 15-121-B15p of the Regulations of the Connecticut State Agencies, which reads as follows:

- No person shall operate a motorboat in excess of Slow-No-Wake in the cove adjacent to Lake Waramaug State Park, as measured 1750 feet from the northernmost point of the cove to a midpoint between the shores and thence defined by a line running east to west to both shores.

The purpose of this amendment is to minimize user conflicts within the specified area by controlling boat wakes from powerboats in an area frequented by bathers and occupants of manually-propelled vessels. The amendment is being proposed under the authority granted to the Commissioner in CGS Section 15-121(b)(11) and pursuant to the 16 May 2013 vote of the Town of Warren legislative body and petition of ten or more persons requesting the subject action under CGS Section 15-136.

Susan Whalen for Daniel C. Esty

Daniel C. Esty
Commissioner

Sept. 13, 2013

Date

Connecticut Department of
ENERGY &
ENVIRONMENTAL
PROTECTION

Boating Division

333 Ferry Road • Old Lyme, CT 06371 www.ct.gov/deep Affirmative Action/Equal Opportunity Employer

22a-6(h) ANALYSIS

Federal Standards Analysis Pursuant to Section 22a-6(h) of the General Statutes
Addition of Section 15-121-B15p
to the
Regulations of Connecticut State Agencies

In accordance with the requirements of section 22a-6(h) of the Connecticut General Statutes , in the matter of the proposed addition of section 15-121-B15p of the Regulations of Connecticut State Agencies, the Department of Environmental Protection has performed a comparison with federal provisions, which is set out below.

- Regarding the proposed imposition of a slow-no-wake zone on Lake Waramaug in the cove adjacent to Lake Waramaug State Park, there is no analogous federal standard for this activity.

Eleanor C. Mariani
Director, Boating Division

Date 9/9/13

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.

Proposed Amendment to Create a Slow-No-Wake Zone on Lake Waramaug as RCSA Section 15-121-B15p

Public Hearing, Warren Community Center, Warren
8 November 2013

NOT PROVIDING TESTIMONY

Name James Hicks	For ✓
Address 35 Beardsley Rd Kent	Against
	Other
email JHicks@Sprintmail.com	
Name Whitney Lancaster	For
Address 88 Half Mile Road	Against
Darien, CT 06820	Other
email whitneyyorklancaster@gmail.com	
Name Donald Morris	For
Address 18 Arrow Point Rd	Against
New Preston CT 06777	Other
email	
Name	For
Address	Against
	Other
email	
Name	For
Address	Against
	Other
email	
Name	For
Address	Against
	Other
email	

Proposed Amendment to Create a Slow-No-Wake Zone on Lake Waramaug as RCSA Section 15-121-B15p

Public Hearing, Warren Community Center, Warren
8 November 2013

NOT PROVIDING TESTIMONY

Name [illegible]	For
Address	Against
	Other
email	
Name Donald Morris	For
Address 18 Arrowpoint Rd	Against
	Other
email Donamorry@AOL.com	
Name Margaret Field	For ✓
Address 211 W. Shore Rd	Against
Warren	Other
email mwfield@charter.net	
Name Jim Kelly	For
Address 80 Kielwasser Road	Against
New Preston CT 06777	Other
email	
Name	For
Address	Against
	Other
email	
Name	For
Address	Against
	Other
email	

Proposed Amendment to Create a Slow-No-Wake Zone on Lake Waramaug as RCSA Section 15-121-B15p

Public Hearing, Warren Community Center, Warren
8 November 2013

PROVIDING TESTIMONY

Name STEVE SORDI WASHINGTON R/T	For ✓
Address 2 BRYAN PLAZA	Against
WASHINGTON DEPOT CT.	Other
email Steve.Sordi@washingtonct.org	
Name SCOTT FLATON WASHINGTON POLICE	For ✓
Address 2 BRYAN PLAZA	Against
WASHINGTON DEPOT	Other
email SCOTT.FLATON@WASHINGTONCT.ORG	
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 Create a Slow-No-Wake Zone on Lake Waramaug as RCSA Section 15-121-B15p

Public Hearing, Warren Community Center, Warren
8 November 2013

PROVIDING TESTIMONY

Name	~~John Lancaster~~ Linda Frank	For ✓
Address	157 W. Shore	Against
	New Preston	Other
email	lindapaulfrank@AOL	
Name	Bob Zipps	For
Address	182 Brentmoor Rd.	Against ✓
	East Hartford, CT	Other
email		
Name	Edgar Berner	For ✓
Address	6 Northshore Road	Against
	New Preston, CT 06777	Other
email	eberner@johnlang.com	
Name	David Robinson	For ✓
Address	211 North Shore Rd	Against
	Warren CT	Other
email		
Name	Gary Davis	For ✓
Address	46 Highland Rd	Against
	South Kent, CT. 06785	Other
email		
Name	John Lancaster	For
Address	244 West Shore Rd	Against
	New Preston, CT 06777	Other
email	njohnlancaster@gmail.com	

Proposed Amendment to Create a Slow-No-Wake Zone on Lake Waramaug as RCSA Section 15-121-B15p

Public Hearing, Warren Community Center, Warren
8 November 2013

PROVIDING TESTIMONY

Name	Richard Rebusmen.	For
Address	26 Arrow PT Rd.	Against ✓
	New Preston CT. 06777	Other
email	richardR44@sbcglobal.net	
Name	James Kelly	For
Address		Against
	Washington CT	Other
email		
Name	Tom McGowan	For
Address	Lake Waramaug Assn	Against
		Other
email		
Name	Paul Frank	For
Address	President	Against
	157 West Shore Rd New Preston	Other
email		
Name	Donald Morris	For
Address	18 Arrow Point Rd	Against
		Other
email		
Name		For
Address		Against
		Other
email		

APPENDIX D
COMMENTS

COMMENT SUMMARY
COMMENTS

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Proposed Addition of RCSA Section 15-121-B15p to Create a Slow-No-Wake Zone on Lake Waramaug, Warren, CT

HEARING OFFICER'S REPORT
Public Comment Summary and Exhibit Index

Exhibit 1-39 (**39 For**), 40-67 (**28 Against**) and 68-69 (**2 Provisional**)
Pubic Hearing 8 November 2013
Comment Closing Date 6 January 2014

Exhibit	Commenter	Pull Quote	Type	Date
		FOR		
1	Mark Lyon	First Selectman, Washington - ..."they are often in conflict with high speed motor boats posing an increased risk of boating accidents...	mail	1-Nov-13
2	Jack Travers	First Selectman, Warren - "I support the findings of the Authority and the proposed DEEP regulation."	mail	31-Oct-13
3	Cynthia Vance	"Having a powerboat and manually propelled vessels, we are actely aware of the danger that motorized vehicles can pose to bathers and those operating manual vessels. We look froward to having seeing this amendment passed."	mail	22-Oct-13
4	Lee Vance			
5	Edgar Berner	Chairman, Lake Waramaug Authority - "Over the past five years, the Marine Patrol has observed a marked increase in all categories of users in this small area of the lake and has witnessed several close call run-ins between motorboats and small crafts."	email, audio Trk7 @ 6:53	10/18/13 and 11/8/13 (audio)
6	Chris Garrity	I write you to lend my support to the idea of a Slow-No Wake zone in the north cove of Lake Waramaug. It is the busiest end of the lake, no doubt and the lake is only getting busier with rowers, paddle boarders, kayakers and swimmers who are the most directly effected by motor boat wakes.	email	21-Oct-13
7	Sandy Papsin	I feel it is in the very best interest of those using the north cove water area of Lake Waramaug, that the SLOW NO WAKE regulation should be enacted for the safety of all. The wake in that narrow area of the Lake created by motor boats both with and without skiers is dangerous to swimmers, kayaks, canoes, and sailboats.	email	23-Oct-13

HEARING OFFICER'S REPORT
Public Comment Summary and Exhibit Index

Exhibit 1-39 (**39 For**), 40-67 (**28 Against**) and 68-69 (**2 Provisional**)
Pubic Hearing 8 November 2013
Comment Closing Date 6 January 2014

Exhibit	Commenter	Pull Quote	Type	Date
8	Dean Sarjeant	I fully support this initiative because of my concern that the operation of motorboats at higher speeds (often towing water-skiers or recreational floating devices) in the limited area of this narrow arm of the lake produces major wake and wave action creating a substantial risk of danger to occupants of "people powered" vessels, such as canoes, kayaks and rowboats, as well as to sailboats and swimmers concentrated in the State Park area. As a local fire-fighter and first responder it is my belief that this is an accident waiting to happen.	email	24-Oct-13
9	Edwin Matthews	We are fortunate not to have already had serious motor boat accidents on the lake...I row on this lake nearly every day from April to November and swim in the lake nearly every day in the now lengthening summer. In fact, I know of no person who makes more regular use of Lake Waramaug than do I	email	24-Oct-13
10	Kevin Brady	I, Kevin Brady, member of Lake Waramaug Authority appreciate your support of the proposed Slow No Wake regulation. Those who benefit and value the use of Lake Waramaug know that this proposal is crucial.	email	24-Oct-13
11	Bob Papsin	I support the efforts of both the Lake Waramaug Association and the Lake Waramaug Authority in their desire to see the slow no wake regulation to fruition.	email	26-Oct-13
12	Betty Sutter	I feel a slow zone for motor boats in the area of the State Park waters would be very desirable for reasons of safety. Since it is at the end of a long stretch, boats towing water skiers, or not, tend to swing around in that dead end area. This poses an extreme hazard for recreational kyackers [*sic*] very often novice boaters. Before a tragedy occurs, I do think it would be a very wise regulation to have in place.	email	26-Oct-13
13	John Santoleri	However the narrow area where the proposed slow zone is located is congested and used by a large number of canoe paddlers, kayakers, and swimmers; these uses are incompatible with high speed motor boats pulling skiers, which need a very large radius to execute the required turn around at the end of the State park.	email	28-Oct-13

HEARING OFFICER'S REPORT
Public Comment Summary and Exhibit Index

Exhibit 1-39 (**39 For**), 40-67 (**28 Against**) and 68-69 (**2 Provisional**)
Pubic Hearing 8 November 2013
Comment Closing Date 6 January 2014

Exhibit	Commenter	Pull Quote	Type	Date
14	Lisa Cornelio	I've been swimming and rowing on the lake for 25 years, and would love to see the safety in this area improved.	email	29-Oct-13
15	Jim Hicks	I have sailed and paddled canoes on the lake for many years so I am well aware of the vulnerability of small boats to the wakes of power boats, even when they are operated at moderate speeds. The most dangerous spot by far is the narrow and often congested area (where swimmers are also at risk) that is the focus of this regulation.	email	29-Oct-13
16	Carolyn Brau	Motor boats are powerful and sometimes travel too fast thru the area where the no-wake zone is proposed. Please enact this ordiance [*sic*] so the everyone's safety will be enhanced.	email	29-Oct-13
17	Ken Hecken	...there is a significant safety hazard at the north end of the Lake due to swimmers,canoes and kyacks mixing with power boats in the waters off the State Park. I strongly support the proposed slow no wake zone !	email	30-Oct-13
18	Carol Santoleri	The lake near the state park has become a mecca for families with children of all ages. Many of these families enjoy a variety of water-based activities such as swimming, kayaking, and canoeing -- all forms of healthy and enjoyable exercise. A safe zone should be provided for the families who wish to use the lake in this way.	email	30-Oct-13
19	Molly Butler Hart	There is a clear and present danger that a kayacker [*sic*] or a swimmer could be seriously injured or killed by speeding boats in the area.	email	31-Oct-13
20	Joan Larned	The increase in high speed motorized vehicles, especially in the State Park area has made it virtually impossible for the non[motorized boaters and swimmers to be safe in the waters. I would no longer allow a member of my family to sail, kayak,canoe or swim in the area as they have been doing for many years in the past.	email	31-Oct-13
21	Paul Frank	As motor boats have increased in size and power over the years, wake and wave action has become more evident and dangerous to those operating "people powered " craft there.	email, audio Trk9 @ 5:30; Trk10 @ 1:15	10/31/13 and 11/8/13 (audio)

HEARING OFFICER'S REPORT
Public Comment Summary and Exhibit Index

Exhibit 1-39 (**39 For**), 40-67 (**28 Against**) and 68-69 (**2 Provisional**)
Pubic Hearing 8 November 2013
Comment Closing Date 6 January 2014

Exhibit	Commenter	Pull Quote	Type	Date
22	Thomas Auth	As participants in various motorboat related activities on the Lake, we are comfortable that given the implementation of the safety zone, there will be ample room for us and all other motorboat users to enjoy the full range of possible activities on the Lake, without negatively impacting recreational enjoyment at all.	email	1-Nov-13
23	Heather Allen	A Slow-No-Wake zone would help greatly to ensure the safety of all who use that part of the lake, and would also help foster the balanced recreational use of the lake in	email	1-Nov-13
24	Gail Berner	I am writing in support of the proposed slow-no wake zone in the northernmost portion of Lake Waramaug adjacent to the State Park. Over the past few years the lake has had a dramatic increase in the number of small non motorized boats such as kayaks, canoes and sailboats many of them originating at the State Park.	email	2-Nov-13
25	David Robinson	I have also witnessed a number of close calls and feel that it is just a matter of time before there is a tradgedy that could be avoided by this action.	email, audio Trk 4 @9:50	11/4/13 & 11/8/13 (audio)
26	Gary Davis	I can attest to the fact that this end of the lake can be very busy with canoes, kayaks, paddleboats, swimmers, jet skis and power boats. The area proposed for the no wake zone should be adequate to help prevent an accident.	email, audio Trk 5 @1:05	11/6/13 & 11/8/13 (audio)
27	Tom Yamin	My reasons for being in strong support of enacting such a regulation are to primarily improve the safety of non-motorized boaters, such as canoes, kayaks, sailboats, rowboats, etc and most certainly for the safety of swimmers in the narrow northern most corner of Lake Waramaug along the State Park beach and canoe rental facility and between the park and Arrow Point Rd.	email	7-Nov-13
28	Margaret Fields	I have lived at the end of the lake opposite the state park for twenty [*years*]. Over that time, I have seen boats speed close to our dock, boats cruise in and around canoes and kayaks, In addition, there are people who swim off the state park beyond the markers and are hard to see in the water. Someday one of the swimmers will be hit.	email	7-Nov-13

HEARING OFFICER'S REPORT
Public Comment Summary and Exhibit Index

Exhibit 1-39 (**39 For**), 40-67 (**28 Against**) and 68-69 (**2 Provisional**)
Pubic Hearing 8 November 2013
Comment Closing Date 6 January 2014

Exhibit	Commenter	Pull Quote	Type	Date
29	Richard Kleinberg	The proposed regulation will ensure public enjoyment of the Lake while imposing a negligible restriction on boaters, who have normal access to the remainder of the Lake.	email	8-Nov-13
30	Richard Loughney	...to improve the safety of non-motorized boaters and swimmers in that area	email	8-Nov-13
31	Mary Loughney			
32	Linda Frank	My boat is a kayak and I know how scary it can be when a large motorboat goes by leaving a huge wake, and they are getting higher.	email, audio Trk9 @ 9:00	11/11/13 and 11/8/13 (audio)
33	Kimberly Zeytoonjian	I have spent 46 years on the lake and both my husband and I support the following proposal for the Slow -NO Wake zone. This will only help to keep people safe.	email	14-Nov-13
34	Douglas Zeytoonjian			
35	Resident Trooper Steve Sordi	I started to really see how congested it was getting in that area...If we don't do something, something bad is going to happen.	Audio, Trk5 @ 8:02; Trk9 @3:30	8-Nov-13
36	Ofc. Scott Flaton	Within the last two years there has been a considerable increase in activity, especially around the state park area.	Audio Trk6 @5:22	8-Nov-13
37	Tom McGowan	I observed that people who live on the lake don't seem to know the boating laws.	Audio Trk8 @ 7:00	8-Nov-13
38	James Hicks	*no testimony, checked "for" box*	PH Sign-in	8-Nov-13
39	Marc Levesque	I have witnessed, on a number of occasions, pleasure boaters entering and exiting the state park cove area on full plane. This action would certainly wake the state park shoreline and any kayakers in the cove.	email	15-Dec-13
		AGAINST		
40	Richard Rebusmen	There are several motor boating speed limits which already adequately protect canoe and kayak users thru this area. Further extension seems unnecessary & overly restrictive.	facsimile, audio Trk6 @7:32; Trk7@8:30; Trk10 @ 0:30, email	11/8/13 and 12/29/13
41	John Lancaster	The evidence does not suggest that there is currently a safety "problem" on the lake... we can't support this specific proposal due to the increased disturbance and risk of injury it will bring to the lake waters near our house and other areas of the lake beyond the waters of the state park where our children and others swim, kayak, canoe, etc	mail, email, audio Trk5 @1:52	10/22/13 and 11/8/13 (audio)

HEARING OFFICER'S REPORT
Public Comment Summary and Exhibit Index

Exhibit 1-39 (**39 For**), 40-67 (**28 Against**) and 68-69 (**2 Provisional**)
Pubic Hearing 8 November 2013
Comment Closing Date 6 January 2014

Exhibit	Commenter	Pull Quote	Type	Date
42	Anne - Marie Morris	We are firmly against the proposed regulation, which would restrict our activities and our ability to enjoy our lake.	mail, email, audio Trk9 @ 8:15	11/17/13 and 11/8/13 (audio)
43	Donald Morris			
44	Mr. Tracy Fryer	In addition to the LWA's exaggeration of the risk to non-powered vessels, I feel that this additional regulation, in conjunction with the other various and numerous regulations that have been imposed on the Lake over the years, will severely restrict overall enjoyment of the lake and will have an extremely adverse impact on my property values.	email	15-Oct-13
45	Mrs. Tracy Fryer			
46	Robert Brown	For instance, is it possible that restricting a certain area of the lake from skiers will actually increase the density of said activity in other parts of the lake making for a less safe environment overall? Who will be held responsible if any actions taken actually lead to real safety issues on the lake? Have issues such as these been considered and studied?	email	22-Oct-13
47	Mercedes Mestre	You should also know , that the faster a boat goes, the smaller the wake so essentialy what you will create with this NO Wake zone by asking people to go 5mph is MORE WAKE!	email	28-Oct-13
48	Craig Bibb	The area where jet skis and other motor boats would be banned does indeed get crowded on a few summer weekends each year for perhaps 4 to 5 hours on those days. The total number of crowded days per year is roughly 6 to 8. The means there are about 30-40 hours a YEAR when lake users would benefit from the proposed regulation. But, the regulation, as written, would ban motor boats in that cove for 8760 hours a year (every day all day). This is insane overkill.	email	4-Nov-13
49	Keith Angell	Don't penalize the entire lake motor boating community, when these non-powered boats (which I won and use as well) already have almost 20% of the lake under restriction, and have such limited 'high usage' – a few hours during midday on a few days per year.	email	5-Nov-13
50	Mark Schein	I am concerned that creating a no wake area would force more motor boats into the rest of our small lake and make things more dangerous for swimmers and kayakers in the rest of the lake.	email	15-Nov-13

HEARING OFFICER'S REPORT
Public Comment Summary and Exhibit Index

Exhibit 1-39 (**39 For**), 40-67 (**28 Against**) and 68-69 (**2 Provisional**)
Pubic Hearing 8 November 2013
Comment Closing Date 6 January 2014

Exhibit	Commenter	Pull Quote	Type	Date
51	Raymond Schaber	I am a CT. boater and am opposed to the no wake zone for Lake Waramaug. The issue is covered by Speed Regulations and Reckless Operation sections in the CT. Boaters Guide page 29.	email	15-Nov-13
52	Bob Zipps	The person who initiated the proposal stated that during these occasional instances that it is an accident waiting to happen. However, the proposal is completely unreasonable in that the proposal completely places all of the burden on the power boater, and none on the operators of the hand powered craft.	email, audio Trk7@0:48; Trk10 @ 1:30	11/19/13 &11/8/13 (audio)
53	James Kelley	There's no real discussion here about what boats *do* on the lake.	audio Trk8 @ 0:00	8-Nov-13
54	Anthony Mann	"...boats would be turning at high speeds in front of our property where our children, family, and friends swim, paddleboard and boat. Forcing motor boaters out of the northern area would make it less safe for us as well as other people on the lake."	emailed letter	25-Nov-13
55	Lisa Stuart	If boats have less room to navigate, this new zone will certainly create new dangers.	email	24-Nov-13
56	Charlie Eaton	I feel it is unnecessary because we have been boating on the lake for 40 years and in the time frame we have observed a very significant reduction in the number of boats on the lake to the extent that motor boating just doesn't seem like a problem.	email	22-Nov-13
57	Jim Neary	Current rules and regulations, and frequent patrolling, do an excellent job making the lake a safe and secure recreational boating venue. In fact, I am not aware of any significant accidents or water safety events on the lake over the last decade.	email	22-Nov-13
58	Robert Hackney	We're aware that many good intentioned people believe that restricting access to the area near the state park is a good idea; but we've yet to hear a reason for that other than 'just because.' We also worry about the unintended consequences of concentrating boat traffic in other parts of the lake.	email	22-Nov-13
59	Brian R. Zipp	...We can't support this specific proposal due to the increased disturbance and risk of injury it will bring to the lake waters near our house and other areas of the lake beyond the waters of the state park where our children and other swim, kayak, canoe, etc	email	5-Dec-13

HEARING OFFICER'S REPORT
Public Comment Summary and Exhibit Index

Exhibit 1-39 (**39 For**), 40-67 (**28 Against**) and 68-69 (**2 Provisional**)
Pubic Hearing 8 November 2013
Comment Closing Date 6 January 2014

Exhibit	Commenter	Pull Quote	Type	Date
60	Roger Parkhouse	It is not a very large lake and putting a speed limit/no wake zone on any part of the lake would only make our rides that much shorter. I have boated in the section of the lake by the state park many times and have never encountered boat traffic.	email	14-Dec-13
61	Eric Madoff	With the greatly enlarged area of the slow-no-wake zone under this proposal, the current boating traffic of the lake will be squeezed into a smaller area of the lake.	email	19-Dec-13
62	Peter Haddad	...we are concerned that this proposed restriction from motor boat usage on this part of the lake will result in greater density of motor boat usage elsewhere on the lake, creating a more dangerous situation.	email	4-Jan-14
63	Annie Haddad			
64	Lisa Roumell	We are concerned that the new zone will create more traffic and congestion in the other parts of the Lake, and, in doing so, will actually decrease the water craft safety on the Lake, as compared to current safety conditions.	email	3-Jan-14
65	Mark Rosenthal			
66	Richard Aube	Boater density on a lake is a zero sum game – if you reduce it on one end of the lake, you increase it everywhere else, when you make it safer for some, you make it more dangerous for others.	email	6-Jan-14
67	Tom Peer	I hold the view the proponents of the wake zone restriction have not established a need for this proposed restricted zone.	email	6-Jan-14
		PROVISIONAL		
68	Doug Hamilton	If the line were reduced to 1250 feet these areas would still be protected, accomplishing your objective	email	14-Oct-13
69	Elaine Mullen	So while I do not think there should be any restriction, perhaps as a compromise, the no wake zone could be on Saturdays and Sundays in July and August, for example.	email	6-Jan-14

TOWN OF WASHINGTON

BRYAN MEMORIAL TOWN HALL
2 BRYAN PLAZA
P.O. BOX 383
WASHINGTON DEPOT, CONNECTICUT 06794

November 1, 2013

Mr. Timothy Delgado
DEEP Boating Division
P.O. Box 280
Old Lyme, CT 06371

Dear Mr. Delgado:

I am writing in support of enactment by the State of Connecticut D.E.E.P. of a slow no wake boating regulation in a portion of Lake Waramaug adjacent to the State Park as proposed by the Boating Division.

This regulation is the subject of a public hearing to be held by the Boating Division on Nov. 8, 2013 in Warren, Connecticut. I am submitting this statement to be included in the record of that public hearing.

I agree with the Lake Waramaug Authority's finding that in the area designated for a slow no wake boating regulation there are a growing number of non-motorized vessels. These canoes, kayaks and other non-motorized boats are launched from the State Park and many are rentals operated by individuals with limited experience. They are often in conflict with high speed motor boats posing an increased risk of boating accidents. Based on these safety concerns the Lake Waramaug Authority has recommended the State adopt a slow no wake regulation in this area of the lake.

I support the findings of the Authority and the proposed DEEP regulation.

Sincerely yours,

Mark E Lyon

Mark E Lyon
First Selectman, Washington

RECEIVED
NOV - 5 2013
DEPT. OF ENVIRONMENTAL PROTECTION
BOATING DIVISION

EXHIBIT 1

Town of Warren

Selectman's Office
50 Cemetery Rd
Warren CT 06754
860-868-7881

October 31, 2013

Mr. Timothy Delgado
DEEP Boating Division
P.O. Box 280
Old Lyme, CT 06371

Dear Mr. Delgado:

I am writing in support of enactment by the State of Connecticut of a slow no wake boating regulation in a portion of the State Park area of the lake as proposed by the Boating Division.

This regulation is the subject of a public hearing to be held by the Boating Division on Nov. 8, 2013 in Warren, Connecticut. I am submitting this statement to be included in the record of that public hearing.

I agree with the Lake Waramaug Authority's finding that IN the area DESIGNATED for a slow no wake boating regulation there are a growing number of non motorized vessels. Many of these canoes, kayaks and other non motorized boats are launched from the State Park and they are often in conflict with high speed motor boats posing an increasing (STRIKE "the") risk OF boating accidents. Based on these safety concerns the Lake Waramaug Authority has recommended the State adopt a slow no wake regulation in this area of the lake.

I support the findings of the Authority and the proposed DEEP regulation.

Sincerely yours,

Jack E. Travers

Jack E. Travers,
First Selectman

RECEIVED
NOV - 4 2013
DEPT. OF ENVIRONMENTAL PROTECTION
BOATING DIVISION

EXHIBIT 2

RECEIVED
NOV 1 - 2013
DEPT. OF ENVIRONMENTAL PROTECTION
BOATING DIVISION

CYNTHIA K. VANCE
LEE G. VANCE
136 East 79th Street
New York, NY 10075

October 22, 2013

DEEP Boating Division
P.O. Box 280
Old Lyme, CT 06371
Attn: Timothy Delgado

Re: Notice of Intent to Amend the Boating Safety Regulations to Create a Slow-No-Wake Zone on Lake Waramaug

To Whom It May Concern:

Unfortunately, we are unable to attend the public hearing on November 8, regarding the amended boat safety regulation on Lake Waramaug. But, as active members of the Lake Waramaug community, we'd like to strongly voice our support of this amendment in the northern portion of the cove adjacent to Lake Waramaug State Park.

Having both a powerboat and manually-propelled vessels, we are acutely aware of the danger that motorized vehicles can pose to bathers and those operating manual vessels.

We look forward to having seeing this amendment passed.

Sincerely,

CWance

Lee & Cynthia Vance
107 North Shore Road
Warren, CT 06777

EXHIBIT 3, 4

October 17, 2013

Dear Mr. Delgado:

The Lake Waramaug Authority by its charter has the responsibility to enforce the State of Connecticut boating laws in cooperation with the Commissioner of the State Department of Energy and Environmental Protection ("DEEP"). All water related activities fall under the jurisdiction of the Lake Waramaug Authority and its Marine Patrol to ensure the safety and enjoyment of all recreational users of the lake.

The DEEP has proposed to adopt a boating safety regulation to create a "slow no wake" zone in the northernmost portion of the arm of the lake adjacent to Lake Waramaug State Park. The Lake Waramaug Authority initiated the petition to the DEEP to consider the adoption of such regulation because of our concern that the operation of motorboats at higher speeds (often towing water-skiers or recreational floating devices) in the limited area of this narrow arm of the lake produces major wake and wave action creating a substantial risk of danger to occupants of "people powered" vessels, such as canoes, kayaks and rowboats, as well as to sailboats and swimmers concentrated in the State Park area. Over the past five years, the Marine Patrol has observed a marked increase in all categories of users in this small area of the lake and has witnessed several close call run-ins between motorboats and small crafts.

It is our judgment and those of the Marine officers patrolling the lake that this change is necessary to ensure a safe environment for all. The officers believe that the current situation is an accident waiting to happen and it is important to be proactive rather than reactive.

The Authority is strongly in favor of this proposed regulation.

Respectfully yours,

Edgar Berner

Chairman

EXHIBIT 5A

Notice of Audio Record

Provided By: EDGAR BERNER

Comment Provided at Public Hearing November 8, 2013*

Track	Time
7	6:53

FOR AGAINST

OTHER

*The referenced audio record is available by written request through the
DEEP Boating Division, P.O. Box 280, Old Lyme, CT 06371
or by email via timothy.delgado@ct.gov
Those requesting the audio record may be asked to provide digital recording media (e.g. a flash drive)

EXHIBIT 5B

Delgado, Timothy

From: Chris Garrity [chris@bainrealestate.com]
Sent: Monday, October 21, 2013 2:49 PM
To: Delgado, Timothy
Subject: Wake limit

Dear Timothy.

I write you to lend my support to the idea of a Slow-No Wake zone in the north cove of Lake Waramaug.
It is the busiest end of the lake, no doubt and the lake is only getting busier with rowers, paddle boarders, kayakers and swimmers
Who are the most directly effected by motor boat wakes.

I ask that you put your full attention to those in the water who are impacted when a boat roars by leaving them to bounce and tip.
There is no hardship on the motorboat owner, it is merely water courtesy.

Thanks,

Chris Garrity

Bain Real Estate
Owner-Partner
860-488-5859-mobile/text
860-364-4646-office

I'll provide an honest, ground level perspective of the Litchfield County real estate market!

CT #0754413~NY#41GA0872974~MA#146839

EXHIBIT 6

Delgado, Timothy

From: Sandy Papsin [sjpmygatt@hotmail.com]
Sent: Wednesday, October 23, 2013 4:00 PM
To: Delgado, Timothy
Subject: Lake Waramaug

Dear Mr. Delgado,

Kindly acknowledge that I feel it is in the very best interest of those using the north cove water area of Lake Waramaug, that the SLOW NO WAKE regulation should be enacted for the safety of all. The wake in that narrow area of the Lake created by motor boats both with and without skiers is dangerous to swimmers, kayaks, canoes, and sailboats.

Many thanks for your attention to my opinion.

Mrs. Sandy Papsin
30 Mygatt Road
New Preston, CT 06777

EXHIBIT 7

Delgado, Timothy

From: Dean Sarjeant [4ears@charter.net]
Sent: Thursday, October 24, 2013 1:54 PM
To: Delgado, Timothy
Cc: ED BERNER; Steve Sordi
Subject: slow no wake zone on Lake Waramaug

Dear Mr. Delgado.

The DEEP has proposed to adopt a boating safety regulation to create a "slow no wake" zone in the northernmost portion of the arm of the lake adjacent to Lake Waramaug State Park. I fully support this initiative because of my concern that the operation of motorboats at higher speeds (often towing water-skiers or recreational floating devices) in the limited area of this narrow arm of the lake produces major wake and wave action creating a substantial risk of danger to occupants of "people powered" vessels, such as canoes, kayaks and rowboats, as well as to sailboats and swimmers concentrated in the State Park area. As a local fire-fighter and first responder it is my belief that this is an accident waiting to happen. I live on the lake and do a lot of boating here and can tell you that due to congestion I often avoid this neck of the lake. Please consider adopting this regulation before we do it reacting to an incident.

Regards
Dean Sarjeant
28 Tinker Hill rd
New Preston, ct 06777

EXHIBIT 8

Delgado, Timothy

From: Edwin Matthews [hiddenvalleyfarm@earthlink.net]
Sent: Thursday, October 24, 2013 4:11 PM
To: Delgado, Timothy
Subject: Lake Waramaug Proposed SNW Regulation

Dear Mr. Delgado,

I would like to put a positive word in favor of the DEEP proposed Slow No Wake zone at the North Cove opposite the State Park. This zone is needed for the safety of swimmers and human powered boats on the lake that are regularly menaced by high speed motor boats, especially water skiiers.

We are fortunate not to have already had serious motor boat accidents on the lake. Before long, we can expect to see a motor boat overrunning a lake swimmer or slow moving paddle boat with the possible loss of human life. A SNW regulation would help avoid such a tragedy as it would provide a place for swimming which is safe from motor boats.

I row on this lake nearly every day from April to November and swim in the lake nearly every day in the now lengthening summer. In fact, I know of no person who makes more regular use of Lake Waramaug than do I.

In my judgment, a SNW zone is over due and should be promulgated (with suitable buoy signage) as soon as possible before the approaching Spring. Thank you for your consideration.

Yours truly, Edwin Matthews, P.O. Box 493, 218 Bee Brook Road, Washington Depot, CT 06794.

EXHIBIT 9

Delgado, Timothy

From: kevin brady [kbrady280@earthlink.net]
Sent: Thursday, October 24, 2013 10:41 PM
To: Delgado, Timothy
Subject: Slow No Wake Lake Waramaug

Mr Delgado

I, Kevin Brady, member of Lake Waramaug Authority appreciate your support of the proposed Slow No Wake regulation. Those who benefit and value the use of Lake Waramaug know that this proposal is crucial.

Thank you

Kevin M. Brady
12 Elizabeth St.
Kent, CT. 06757
860-248-0019

EXHIBIT 10

Delgado, Timothy

From: Bob Papsin [rpapsin@hotmail.com]
Sent: Saturday, October 26, 2013 1:17 PM
To: Delgado, Timothy
Subject: Lake Waramaug

Dear Mr. Delgado,

As a retired State of Connecticut DEP employee, I feel a very close affinity with the environment and especially lakes and rivers. As a fisherman, I appreciated the ability to fish in areas that are calm and undisturbed by motor boats, mainly those creating wakes that stir the shorelines. The northern cove of Lake Waramaug is one such area that I hope you will consider when decision time comes to enact a slow no wake zone. I support the efforts of both the Lake Waramaug Association and the Lake Waramaug Authority in their desire to see the slow no wake regulation to fruition.

Thank you for your time and consideration of this issue.

Mr. Bob Papsin
30 Mygatt Road
Washington, CT 06777

EXHIBIT 11

Delgado, Timothy

From: Betty Sutter [gamsutter@yahoo.com]
Sent: Saturday, October 26, 2013 5:59 PM
To: Delgado, Timothy
Cc: LINDAPAULFRANK@aol.com
Subject: "slow-no-wake"

Sir, I reside at 251 West Shore Road, New Preston. I feel a slow zone for
motor boats in the area of the State Park waters would be very desirable
for reasons of safety..Since it is at the end of a long stretch, boats towing water skiers, or not, tend to swing around in that dead end area..
This poses an extreme hazard for recreational kyackers very often novic
boaters..Before a tragedy occurs, I do think it would be a very wise regulation to have in place. Thank you for your attention to this matter.
Betty Sutter

EXHIBIT 12

Delgado, Timothy

From: John Santoleri [JSantoleri@stoneworkcapital.com]
Sent: Monday, October 28, 2013 6:57 PM
To: Delgado, Timothy
Subject: Proposed Lake Waramaug slow/no-wake zone

Dear Mr. Delgado - I am a Lake Waramaug area resident, and am in support of the proposed slow/no-wake boating zone on Lake Waramaug. The lake is shared by a variety of people enjoying various water sports, and generally there are few problems. However the narrow area where the proposed slow zone is located is congested and used by a large number of canoe paddlers, kayakers, and swimmers; these uses are incompatible with high speed motor boats pulling skiers, which need a very large radius to execute the required turn around at the end of the State park. This small area of restricted use will not take much away from water skiers' use and enjoyment of the lake and will prevent accidents. Please note my support as part of the public record for the upcoming hearing.

John Santoleri
240 West Shore Rd, New Preston CT. 860-868-2429

EXHIBIT 13

Delgado, Timothy

From: Lisa Cornelio [lisaj.cornelio@gmail.com]
Sent: Tuesday, October 29, 2013 12:39 PM
To: Delgado, Timothy
Subject: RE: "Slow-No-Wake" zone @ Lake Waramaug State Park.

Greetings,
I'm writing in support of a boating safety regulation to create a "Slow-No-Wake" zone in the northernmost portion of the arm of the lake adjacent to Lake Waramaug State Park. I've been swimming and rowing on the lake for 25 years, and would love to see the safety in this area improved.

Sincerely,
Lisa Cornelio
61 Mtn Lake Rd
Warren CT 06777

EXHIBIT 14

Delgado, Timothy

From: Jim Hicks [jhicks@sprintmail.com]
Sent: Tuesday, October 29, 2013 5:47 PM
To: Delgado, Timothy
Subject: No-Wake Zone

Dear Mr. Delgado,

I am writing to express my firm support of the proposed no-wake zone near the State Park on Lake Waramaug.

I have sailed and paddled canoes on the lake for many years so I am well aware of the vulnerability of small boats to the wakes of power boats, even when they are operated at moderate speeds. The most dangerous spot by far is the narrow and often congested area (where swimmers are also at risk) that is the focus of this regulation. I urge you to expedite its passage and enforcement.

Thank you,

James Hicks
35 Beardsley Road,
Kent 06757

Sent from my iPad

EXHIBIT 15

Delgado, Timothy

From: hcbrau@charter.net
Sent: Tuesday, October 29, 2013 5:49 PM
To: Delgado, Timothy
Subject: Lake Waramaug No Wake Zone

Greetings!
I am writing in support of the establishment of a no wake zone in Lake Waramaug.
I have owned a residence and property at 40 Curtiss Road, Warren for over 40 years. My family and I have used the lake for recreational pleasures all these years. I want to assure the safety of all who enjoy the beauty and activities the lake provides. I bicycle frequently around the lake and notice many people enjoying the State Park. Large numbers are there on the week-ends and holidays. Motor boats are powerful and sometimes travel too fast thru the area where the no-wake zone is proposed. Please enact this ordiance so the everyone's safety will be enhanced.
Sincerely,
Carolyn Brau

EXHIBIT 16

Delgado, Timothy

From: Ken Hecken [kenhecken@charter.net]
Sent: Wednesday, October 30, 2013 11:36 AM
To: Delgado, Timothy
Subject: slow no wake hearing Nov. 8 th

I live on Lake Waramaug at 37 North Shore Road, Warren and there is a significant safety hazard at the north end of the Lake due to swimmers,canoes and kyacks mixing with power boats in the waters off the State Park. I strongly support the proposed slow no wake zone !

K. A. Hecken

EXHIBIT 17

Delgado, Timothy

From: Carol Santoleri [cbsantoleri@gmail.com]
Sent: Wednesday, October 30, 2013 1:21 PM
To: Delgado, Timothy
Cc: John Santoleri; Linda & Paul Frank
Subject: Proposed Lake Waramaug slow/no-wake zone

Dear Mr. Delgado,
I would like to second my husband's support of the proposed slow/no-wake zone on Lake Waramaug. The lake near the state park has become a mecca for families with children of all ages. Many of these families enjoy a variety of water-based activities such as swimming, kayaking, and canoeing -- all forms of healthy and enjoyable exercise. A safe zone should be provided for the families who wish to use the lake in this way. Please note my support as part of the public record for the upcoming hearing.
Sincerely,
Carol Santoleri
240 West Shore Road
New Preston, CT 06777

Begin forwarded message:

From: John Santoleri <JSantoleri@stoneworkcapital.com>
Subject: Proposed Lake Waramaug slow/no-wake zone
Date: October 28, 2013 6:57:06 PM EDT
To: "timothy.delgado@ct.gov" <timothy.delgado@ct.gov>

Dear Mr. Delgado - I am a Lake Waramaug area resident, and am in support of the proposed slow/no-wake boating zone on Lake Waramaug. The lake is shared by a variety of people enjoying various water sports, and generally there are few problems. However the narrow area where the proposed slow zone is located is congested and used by a large number of canoe paddlers, kayakers, and swimmers; these uses are incompatible with high speed motor boats pulling skiers, which need a very large radius to execute the required turn around at the end of the State park. This small area of restricted use will not take much away from water skiers' use and enjoyment of the lake and will prevent accidents.
Please note my support as part of the public record for the upcoming hearing.

John Santoleri
240 West Shore Rd, New Preston CT. 860-868-2429

EXHIBIT 18

Delgado, Timothy

From: MOLLY BUTLER HART [mollybhart@gmail.com]
Sent: Thursday, October 31, 2013 10:12 AM
To: Delgado, Timothy
Cc: Frank, Linda and Paul
Subject: Lake Waramaug Boating Regulation Support

Mr. Delgado:

I want to express my strong support on the proposed slow no wake regulation being proposed by the State of Connecticut boating division which will be the subject of a public hearing on Nov. 8th at 6:30 pm in the Warren Community Center.

It is essential that this be enacted so as to improve the safety of non motorized boaters and swimmers in the narrow northern most corner of the lake along the State Park beach and canoe rental facility and between Waramaug State Park and Arrowpoint.

There is a clear and present danger that a kayacker or a swimmer could be seriously injured or killed by speeding boats in the area.

I am a resident of the town of Warren, with a home on Lake Waramaug. I am a regular boater on the Lake and very aware of this dangerous situation.

Molly Butler Hart
145 North Shore Road
Warren, CT 06777

EXHIBIT 19

Delgado, Timothy

From: Joan Larned [joanlarned@gmail.com]
Sent: Thursday, October 31, 2013 3:42 PM
To: Delgado, Timothy
Subject: Lake Waramaug boating regulation Novemeber 8 public hearing

Dear Mr. Delgado,

I am in favor of a proposal by the State of Connecticut boating Division that would provide a slow no wake regulation in the narrow northern most corner of Lake Waramaug along the State Park beach and canoe rental facility and between the Park and Arrowpoint.

I have been a student of and user of Lake Waramaug through many phases and many years and only recently have I found cause for alarm or the proverbial "accident waiting to happen." The increase in high speed motorized vehicles, especially in the State Park area has made it virtually impossible for the non[motorized boaters and swimmers to be safe in the waters. I would no longer allow a member of my family to sail, kayak,canoe or swim in the area as they have been doing for many years in the past.

Please give serious consideration to this important proposal. Thank you,

Sincerely, Joan Larned

49 Beardsley Road
Kent, Ct 06757

EXHIBIT 20

Delgado, Timothy

From: LINDAPAULFRANK@aol.com
Sent: Thursday, October 31, 2013 9:00 PM
To: Delgado, Timothy
Subject: Lake Waramaug : Proposed Slow-No-Wake Zone Regulation

Dear Mr. Delgado:

I am writing to you in support of the proposed boating safety regulation establishing a Slow No Wake zone in the northernmost portion of the State Park cove of Lake Waramaug.

I am President of The Lake Waramaug Association, the Board of Directors of which supports the proposed regulation, but I write as an individual user of the lake and owner of a home on the lake for almost forty years.

I believe that the Lake Waramaug Authority and its Marine Patrol are correct in their concern that there is a serious water safety problem in the small area proposed to be regulated due to the concentration of various uses there. One finds in that area canoers, kayakers, sailboats, rowboats, small and large motorboats, water skiers, tubers and swimmers outside of the marked swimming area. As motor boats have increased in size and power over the years, wake and wave action has become more evident and dangerous to those operating "people powered " craft there.

We are fortunate that the lake, as a public recreation area, attracts all these varied constituencies of users to its waters. But this brings with it an obligation to assure the safety of ***all*** users, to the greatest extent possible. The proposed regulation meets that obligation in this heavily used area.

I know that some operators of motor boats believe that this area of the lake is particularly inviting for water skiing and that they should not be deprived of its use for such purpose. But it is also utilized heavily by renters of small craft, by those launching their own "car top" boats at the State Park launch site, by rowers and paddlers from other parts of the lake and by swimmers. I understand that the proposed zone covers approximately 31 acres, or only about 4.5% of the surface of the 680 acre lake, leaving the remainder of the State Park cove and all of the rest of the lake available without specific restriction other than those generally applicable in statewide boating rules.

Any regulation involves a reasonable balancing of competing interests. Here the guiding principles must be **assuring the balanced recreational use of the lake** and **the safety of all those enjoying its waters**. I believe that the proposed regulation supports these goals, is in the public interest, and should be adopted.

Sincerely yours,

Paul R. Frank

157 West Shore Road
New Preston, CT 06777

860-868-7732
lindapaulfrank@aol.com

EXHIBIT 21 A

Notice of Audio Record

Provided By: PAUL FRANK

Comment Provided at Public Hearing November 8, 2013*

Track	Time
9	5:30
10	1:15

FOR AGAINST

OTHER

*The referenced audio record is available by written request through the
DEEP Boating Division, P.O. Box 280, Old Lyme, CT 06371
or by email via timothy.delgado@ct.gov
Those requesting the audio record may be asked to provide digital recording media (e.g. a flash drive)

EXHIBIT 21 B

Delgado, Timothy

From: Thomas Auth [tomauthnyc@gmail.com]
Sent: Friday, November 01, 2013 11:43 AM
To: Delgado, Timothy
Subject: Lake Waramaub - Proposed Safety Zone

Dear Mr. Delgado:

I am writing to you in support of the proposed boating safety regulation establishing a Slow No Wake zone in the northernmost portion of the State Park cove of Lake Waramaug.

I am long-time resident of Washington, CT and have a dock on Lake Waramaug close to the proposed safety zone. I am the father of 3 children. As a family, we frequently use the Lake for a variety of recreational activities, including rowing, kayaking, swimming, water skiing, tubing, etc. We also spend enough time on the Lake to have a very good understanding of the frequency and nature of use of the Lake by visitors, campers and other residents.

Our family feels strongly that the Lake Waramaug Authority and its Marine Patrol are right to be concerned about water safety in the this segment of the Lake. The prevalence of man-powered crafts concentrated in that area, along with the increased use by larger and more powerful motorboats has created a situation where safety has become a real issue.

We believe that the proposed regulation is necessary and successfully balances competing activities on the Lake. We further applaud the Lake Waramaug Authority and its Marine Patrol for their forward thinking and proactive approach at this time. It is clear to us that should the safety zone be implemented accidents and issues will be avoided.

As participants in various motorboat related activities on the Lake, we are comfortable that given the implementation of the safety zone, there will be ample room for us and all other motorboat users to enjoy the full range of possible activities on the Lake, without negatively impacting recreational enjoyment at all.

We believe that the proposed regulation will facilitate safe enjoyment of the Lake while successfully balancing the interest of all recreational participants and as such we believe it should be adopted.

With many thanks,

EXHIBIT 22 A

Thomas P. Auth

329 West Shore Road

New Preston, CT 06777

860-868-1488

tomauthnyc@gmail.com

EXHIBIT 22 B

Delgado, Timothy

From: heather@sevenstarsstudio.com
Sent: Friday, November 01, 2013 5:30 PM
To: Delgado, Timothy
Subject: Lake Waramaug

Dear Mr. Delgado,

I'm a resident of Lake Waramaug (96 North Shore Road in Warren) and am writing to you in support of the proposed Slow-No-Wake zone at the north end of the narrow arm of the lake by the Lake Waramaug State Park. I know that Washington's Resident State Trooper, Trooper Sordi - along with other officers of the lake's Marine Patrol - has expressed growing concern in recent years about the congestion in that part of the lake caused by so many boats of all kinds, and about the danger posed to small craft by motor boats and their considerable wave and wake action. A Slow-No-Wake zone would help greatly to ensure the safety of all who use that part of the lake, and would also help foster the balanced recreational use of the lake in general.

Thank you for your attention.

Sincerely,

Heather Allen

EXHIBIT 23

Delgado, Timothy

From: ghberner [ghberner@gmail.com]
Sent: Saturday, November 02, 2013 6:09 PM
To: Delgado, Timothy
Subject: Lake Waramaug Slow-No Wake Zone

Dear Mr. Delgado,

I am writing in support of the proposed slow-no wake zone in the northernmost portion of Lake Waramaug adjacent to the State Park. Over the past few years the lake has had a dramatic increase in the number of small non motorized boats such as kayaks, canoes and sailboats many of them originating at the State Park. The marine patrol officers are very concerned that because this portion of the lake is so narrow and congested , there is a serious risk of an accident.. They feel strongly that it is necessary to limit the speed at which motorized boats can operate in this area.to ensure the safety of all recreational users.

Sincerely,

Gail H. Berner
6 North Shore Road
New Preston, CT 06777

EXHIBIT 24

Delgado, Timothy

From: David Robinson [dcrobinson@charter.net]
Sent: Monday, November 04, 2013 10:12 AM
To: Delgado, Timothy
Subject: no wake zone Lake Waramaug

Dear Mr Delgado My name is David C Robinson and I live at 211 North Shore RD Warren CT I am very much in favour of establishing a no wake zone as shown on your map in the north cove of the lake in the state park area.I have been a boater on the lake for more than 50 years and consider myself experienced I do not and would not attempt to pull a skier or tube and make a turn in the area you have discribed it is simply to tight and more often than not busy with canoes and kyaks with vastly different levels of skills.I have also witnessed a number of close calls and feel that it is just a matter of time before there is a tradgedy that could be avoided by this action.I thankyou for your interest in this matter and hope that you decide to implement the same Sincerely David C Robinson

EXHIBIT 25 A

Notice of Audio Record

Provided By: DAVID ROBINSON

Comment Provided at Public Hearing November 8, 2013*

Track	Time
4	9:50

FOR AGAINST

OTHER

*The referenced audio record is available by written request through the
DEEP Boating Division, P.O. Box 280, Old Lyme, CT 06371
or by email via timothy.delgado@ct.gov
Those requesting the audio record may be asked to provide digital recording media (e.g. a flash drive)

EXHIBIT 25 B

Delgado, Timothy

From: DAVIS I G A [davis_g_a@sbcglobal.net]
Sent: Wednesday, November 06, 2013 8:14 AM
To: Delgado, Timothy
Subject: Lake waramaug slow no wake zone proposal

Dear Mr DelGado,
My name is Gary Davis.I am a resident of Kent.I am in favor of the' proposed slow no wake zone' on the north cove of Lake Waramaug.I have docked a motorboat at the end of that cove for 20 years.I can attest to the fact that this end of the lake can be very busy with canoes,kayaks,paddleboats,swimmers,jet skis and power boats. The area proposed for the no wake zone should be adequate to help prevent an accident.As the lake gets busier with more public access at the launch approving this proposal is the right thing to do .

Gary Davis
46 Highland Rd.
South Kent,Ct.06785

EXHIBIT 26 A

Notice of Audio Record

Provided By: GARY DAVIS

Comment Provided at Public Hearing November 8, 2013*

Track	Time
5	1:05

FOR AGAINST

OTHER

*The referenced audio record is available by written request through the
DEEP Boating Division, P.O. Box 280, Old Lyme, CT 06371
or by email via timothy.delgado@ct.gov
Those requesting the audio record may be asked to provide digital recording media (e.g. a flash drive)

EXHIBIT 26B

Delgado, Timothy

From: Tom Yamin [tyamin@nyc.rr.com]
Sent: Thursday, November 07, 2013 4:41 PM
To: Delgado, Timothy
Subject: slow wake hearing on Nov 8

Mr. Delgado, I am very much in support of the proposed slow no wake regulation being discussed at the hearing Nov. 8, and I am sorry not to be able to attend. My reasons for being in strong support of enacting such a regulation are to primarily improve the safety of non-motorized boaters, such as canoes, kayaks, sailboats, rowboats, etc and most certainly for the safety of swimmers in the narrow northern most corner of Lake Waramaug along the State Park beach and canoe rental facility and between the park and Arrow Point Rd. I happen to live at 14 Arrow Point Rd so I clearly see the danger in not enacting this regulation. So Mr. Delgado please support and enact the slow no wake regulation. Thank you for your consideration. Thomas M. Yamin 14 Arrow Point, Warren

EXHIBIT 27

Delgado, Timothy

From: Margaret Fields [mwfield@charter.net]
Sent: Thursday, November 07, 2013 4:53 PM
To: Delgado, Timothy
Subject: No Wake Zone,

Dear Mr. Delgado,
I have lived at the end of the lake opposite the state park for twenty. Over that time, I have seen boats speed close to our dock, boats cruise in and around canoes and kayaks, In addition, there are people who swim off the state park beyond the markers and are hard to see in the water. Someday one of the swimmers will be hit. The traffic at this end of the lake has increased as today many people rent the canoes and kayaks from Clark's for the day. We see people in the canoes who have never been in a canoe before and do not know what to do. They are even paddling against one another. Most of the visitors to the park are families with small children and they are the ones who are in the canoes and kayaks. The motor boats come very close to these paddlers throwing off wake which is scary to a small child as well as to an adult. I strongly support the no-wake zone and hope that it can be established by next summer. I feel that there is going to be an accident before long, something that no one wants to have happen. Thank you for your attention

Margaret Field
211 North Shore Road
Warren CT 06777
mwfield@charter.net

EXHIBIT 28

Delgado, Timothy

From: Richard C. Kleinberg [richard@abacusfp.com]
Sent: Friday, November 08, 2013 1:52 PM
To: Delgado, Timothy
Subject: "Slow-No-Wake" -- Lake Waramaug

Dear Mr. Delgado,

I am writing to express my strong support for the proposed "Slow No Wake" regulation near the State Park on Lake Waramaug.

This part of the Lake is used by thousands of campers and day-use visitors every year. It includes one of the most heavily-used State Parks in Connecticut.

It is used by families with small children who swim and rent canoes and paddleboats, which they use in the proposed "Slow No Wake" zone.

The proposed "Slow No Wake" regulation will ensure that these visitors can use and enjoy the Lake and the State Park facilities safely and securely. This area of the Lake is narrow,

and it ends abruptly at a cove which requires boats to make a sharp turn near the public recreation area. This cannot be navigated safely at the normal boating speeds which are appropriate for other areas of the Lake.

To reject this regulation would favor a small number of local property owners at the expense of the public safety and peaceful use of our State Park here.

The proposed regulation will ensure public enjoyment of the Lake while imposing a negligible restriction on boaters, who have normal access to the remainder of the Lake.

Richard Kleinberg

New Preston, CT.

EXHIBIT 29

Delgado, Timothy

From: RICHARD LOUGHNEY [richard.loughney@snet.net]
Sent: Friday, November 08, 2013 4:59 PM
To: Delgado, Timothy
Subject: slow no wake hearing regulation

Mary and Richard Loughney support the proposed slow no wake regulation being proposed by the State of Connecticut boating division in the narrow northern most corner of Lake Waramaug along the State Park beach and the canoe rental facility and between the Park and Arrow Point to improve the safety of non motorized boaters and swimmers in that area.

Mary and Richard Loughney
25 Arrow Point road
Warren, CT 06777

EXHIBIT 30,31

Delgado, Timothy

From: LINDAPAULFRANK@aol.com
Sent: Monday, November 11, 2013 9:34 AM
To: Delgado, Timothy
Subject: Lake Waramaug

Dear Mr. Delgado,

My name is Linda Frank and I have had a home on Lake Waramaug for 39 years. My boat is a kayak and I know how scary it can be when a large motorboat goes by leaving a huge wake, and they are getting higher.
I know to turn into the wake. Visitors to the State Park renting kayaks and canoes do not always know that. And I can swim. Visitors to the park may not have been lucky enough to have had swimming lessons.

I grew up in Avon and my family spent many happy weekends picnicking and swimming at Barkhamstead reservoir and Peoples Forest. Our State's park system, celebrating 100 years, needs to offer all users a safe place to enjoy themselves.

I favor this proposed slow no wake regulation.

Linda M. Frank
157 West Shore Road
New Preston, CT 06777

EXHIBIT 32 A

Notice of Audio Record

Provided By: LINDA FRANK

Comment Provided at Public Hearing November 8, 2013*

Track	Time
9	9:00

FOR AGAINST

OTHER

*The referenced audio record is available by written request through the
DEEP Boating Division, P.O. Box 280, Old Lyme, CT 06371
or by email via timothy.delgado@ct.gov
Those requesting the audio record may be asked to provide digital recording media (e.g. a flash drive)

EXHIBIT 32B

Delgado, Timothy

From: Kimberly Zeytoonjian [zeytoonjian@comcast.net]
Sent: Thursday, November 14, 2013 12:15 PM
To: Delgado, Timothy
Subject: Re: Support of the No Wake Zone - Lae Waramaug

Kimberly Zeytoonjian

From: "Kimberly Zeytoonjian" <zeytoonjian@comcast.net>
To: "timothy.delgado" <timothy.delgado@ct.gov>
Sent: Thursday, November 14, 2013 11:59:53 AM
Subject: Support of the No Wake Zone - Lae Waramaug

I have spent 46 years on the lake and both my husband and I support the following proposal for the Slow -NO Wake zone. This will only help to keep people safe.

Under this proposal, a Slow-No-Wake zone will be implemented on Lake Waramaug in the northern portion of the cove adjacent to Lake Waramaug State Park, for the purpose of minimizing user conflicts by controlling boat wakes from powerboats in an area frequented by bathers and occupants of manually-propelled vessels.
Kimberly and Douglas Zeytoonjian
42 Prattling Pond Road
Farmington, CT

EXHIBIT 33, 34

Notice of Audio Record

Provided By: STEVE SORDI

Comment Provided at Public Hearing November 8, 2013*

Track	Time
5	8:02
9	3:30

FOR AGAINST

OTHER

*The referenced audio record is available by written request through the
DEEP Boating Division, P.O. Box 280, Old Lyme, CT 06371
or by email via timothy.delgado@ct.gov
Those requesting the audio record may be asked to provide digital recording media (e.g. a flash drive)

EXHIBIT 35

Notice of Audio Record

Provided By: SCOTT FLATON

Comment Provided at Public Hearing November 8, 2013*

Track	Time
6	5:22

FOR AGAINST

OTHER

*The referenced audio record is available by written request through the
DEEP Boating Division, P.O. Box 280, Old Lyme, CT 06371
or by email via timothy.delgado@ct.gov
Those requesting the audio record may be asked to provide digital recording media (e.g. a flash drive)

EXHIBIT 36

Notice of Audio Record

Provided By: Tom McGowan

Comment Provided at Public Hearing November 8, 2013*

Track	Time
8	7:00

FOR AGAINST

OTHER

*The referenced audio record is available by written request through the
DEEP Boating Division, P.O. Box 280, Old Lyme, CT 06371
or by email via timothy.delgado@ct.gov
Those requesting the audio record may be asked to provide digital recording media (e.g. a flash drive)

EXHIBIT 37

Proposed Amendment to Create a Slow-No-Wake Zone on Lake Waramaug as RCSA Section 15-121-B15p

Public Hearing, Warren Community Center, Warren
8 November 2013

NOT PROVIDING TESTIMONY

Name	James Hicks	For ✓
Address	35 Beardsley Rd Kent	Against
		Other
email	JHicks@Sprintmail.com	
Name	Whitney Lancaster	For
Address	88 Half Mile Road	Against
	Darien, CT 06820	Other
email	whitneyyorklancaster@gmail.com	
Name	Donald Morris	For
Address	18 Arrow Point Rd	Against
	New Preston CT 06777	Other
email		
Name		For
Address		Against
		Other
email		
Name		For
Address		Against
		Other
email		
Name		For
Address		Against
		Other
email		

EXHIBIT 38

Delgado, Timothy

From: Marc Levesque [levesque_marc@yahoo.com]
Sent: Sunday, December 15, 2013 10:23 PM
To: Delgado, Timothy
Subject: Comment on Slow No Wake Zone on Lake Waramaug

Dear Mr. Delgado

As a very frequent user of Lake Waramaug as a bass angler and user of the public boat launch on the lake, I write in support of the proposed slow no wake zone as long as such zone is restricted to the northern most portion of the cove by the Lake Waramaug State Park only. The no wake zone should not extend further southward beyond the state park and further into the main lake.

The western side of this cove area has already been designated a No Wake area and No Wake buoys are in place there during the open season. I assume this current proposal would extend the slow no wake area from its western shore over to its eastern shore. Again, I would support this measure but I would not support any measure to further impose additional speed limits or no wake zones beyond this designated area. The other swim areas on the lake are clearly roped off and marked. As a operator of a high end bass boat, I always idle down in areas where a I can see kayakers paddling in the area. I always attempt not to wake any small vessel, canoeist, kayaker, swimmer or boarder throughout the lake. I assume this is normal boater etiquette.

I have witnessed, on a number of occasions, pleasure boaters entering and exiting the state park cove area on full plane. This action would certainly wake the state park shoreline and any kayakers in the cove. Most times though, boats will idle down if kayakers are seen in the cove. If a person who rents a kayak at the state park is not an experienced kayaker (as many most likely are not) and decides to enter into other sections of the lake they should be forewarned they most likely will encounter boat wake action.

As an additional safety measure, encompassing the state park cove area as slow no wake would have my support and as an officer of the Connecticut Bass Anglers Sportsmen Society Nation, I believe I speak for any responsible tournament bass angler.

Marc Levesque
20 First Ave
Waterbury, CT 06710
203-592-6305 cell

EXHIBIT 39

Delgado, Timothy

From: RICHARD REBUSMEN [richardr44@sbcglobal.net]
Sent: Sunday, December 29, 2013 8:15 AM
To: Delgado, Timothy
Cc: CFRISBIE@WARRENTCT.GOV; CLARK.CHAPIN@CGA.CT.GOV; CRAIG.MINER@HOUSEGOP.CT.GOV; FIRSTSELECTMAN@TOWNOFKENT.ORG
Subject: Slow-No-Wake Zone @ Lake Waramaug State Park

Dear Mr Delgado I have been a resident living at Lake Waramaug for 34 years. My family & I live on the North Side of Arrow Point Rd. & must advise you we object to this new regulation as unnecessary, arbitrary & capricious. There are several motor boating speed limits which already adequately protect canoe & kayak users thru this area ! Further extension seems unnecessary & overly restrictive. Please understand safety should always be a primary concern but no accidents have ever been reported on the North End of the Lake & simply adding more speed regulations will only further restrict motor boaters rights to access this portion of the Lake. I strongly recommend you NOT proceed with this overly restrictive slow-on-wake zoning proposal. Thank you in advance for your consideration in this matter. I remain Richard Rebusmen, 26 Arrow Point Rd. Warren Ct. 06777 or 860-868-6750 or richardr44@sbcglobal.net

EXHIBIT 40 A

Mr Timothy Delgado.
DEEP Marine Hqds.
Boating Division
P.O. Box 280
Old Lyme CT. 06371

Ref: Slow-no-Wake, Lake Waramaug State Park.

Dear Mr. Delgato

I have been a resident living at Lake Waramaug for 33 years. I live on the North Side of Arrow PT Rd. I must advise you I object to this new regulation as unnecessary, arbitrary & capricious.

There are several motor boating speed limits which already adequately protect canoe & kayak users thru this area. Further extension seems unnecessary & overly restrictive.

Please understand, safety should always be a primary concern but no accidents have been reported on the North end of the Lake & simply adding more regulations will only further restrict motor boaters rights to access this portion of the Lake.

I strongly recommend you "NOT" proceed with this restrictive slow-no-wake zoning request.

Thank you in advance for your consideration in this matter, I remain

Richard Rebusmen 1-860-868-6750
26 Arrow PT. Rd.
New Preston CT.
06777
richardr44@sbcglobal.net

P.S. your email address is not receiving emails. Please correct!

EXHIBIT 40 B

Nov. 18 2013 12:56PM P1

Notice of Audio Record

Provided By: RICHARD ROBUSMAN

Comment Provided at Public Hearing November 8, 2013*

Track	Time
6	7:32
7	8:30
10	0:30

FOR AGAINST

OTHER

*The referenced audio record is available by written request through the
DEEP Boating Division, P.O. Box 280, Old Lyme, CT 06371
or by email via timothy.delgado@ct.gov
Those requesting the audio record may be asked to provide digital recording media (e.g. a flash drive)

EXHIBIT 40 C

Delgado, Timothy

From: Lancaster, John [jlancaster@riverstonellc.com]
Sent: Thursday, October 24, 2013 1:59 PM
To: Delgado, Timothy
Subject: Proposed Slow-No-Wake Zone on Lake Waramaug
Attachments: NJL T Delgado 10-22 final.pdf

Mr. Delgado –

Attached is a scanned copy of my letter/written comments regarding the proposed "Slow-No-Wake" zone on Lake Waramaug. I will be sending the original via U.S. mail. Please enter these comments into the formal record on the issue as per your notice. I also plan to attend the meeting in Warren on the subject on November 8th. I understand any comments made at that meeting are also to be submitted in writing. I would like to address that audience, but those comments would include only excerpts from this letter. Question: Should I prepare a separate summary of those comments or will this letter suffice as long as my comments are a sub-set of this letter? Also, is there a formal docket for the meeting or anything else I need to do to secure the opportunity to speak or is it done on an "as-requested" basis at the meeting? Would you be available to discuss this and the meeting format live? If so, at what number can I reach you?

Thank you very much for the help –

John Lancaster

From: Share Scan
Sent: Thursday, October 24, 2013 1:42 PM
To: Lancaster, John
Subject: Scanned document from nysharescan

CONFIDENTIALITY NOTICE:

The information contained in this transmission is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. If you are not the intended recipient of this information, do not review, retransmit, disclose, disseminate, use, or take any action in reliance upon, this information. If you received this transmission in error, please contact the sender and destroy all printed copies and permanently delete the material from all electronic storage devices including server based archives and metabases.

EXHIBIT 41 A

FACSIMILE TRANSMITTAL SHEET

TO: Timothy Delgado	FROM: John Lancaster
COMPANY: DEEP – Marine Headquarters	DATE: October 24, 2013
FAX NUMBER: 860 434 3501	TOTAL NO. OF PAGES INCLUDING COVER: 9
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE: Slow –No-Wake Zone	YOUR REFERENCE NUMBER:

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Riverstone Holdings LLC

712 Fifth Avenue, 51st floor
New York, N
212.993.007
212-993.007

EXHIBIT 41 B

N. John Lancaster, Jr.
244 West Shore Rd.
New Preston, CT 06777

October 22, 2013

Timothy Delgado
DEEP – Marine Headquarters
Boating Division
P.O. Box 280
Old Lyme, CT 06371

Dear Mr. Delgado –

I am writing to you regarding the "Slow-No-Wake" zone being proposed for the northern portion of Lake Waramaug adjacent to the state park. I have been a homeowner on the lake since 2007. My wife and I and our four young children (ages 5-9) are active swimmers, boaters and kayakers in and on the waters of this unique and wonderful lake. We are also active supporters of the various state- and privately funded entities and initiatives that promote the welfare of the lake itself and the safety, welfare, and enjoyment of its many users.

While we support efforts seeking to improve boater safety generally, we are opposed to the adoption of the proposed "Slow-No-Wake" zone. The evidence does not suggest that there is currently a safety "problem" on the lake. We all share an ongoing duty to ensure safety on the lake, but the lake has achieved an excellent record of safety and it is not at all clear that we have a problem. In addition, we believe there are potential negative consequences from this proposal that may not have been fully considered and that this proposal may actually ***increase*** the risk of serious incident elsewhere on the lake. And finally, we believe there are appropriate and effective laws and rules currently in place, and many additional common-sense initiatives for improving safety for kayakers, canoers and users of other personal watercraft that should be further implemented or enforced before adoption of such a restrictive and dramatic measure by DEEP is even considered.

An Exemplary Record of Safety on the Lake

Through a combination of vigilant and effective law enforcement, sensible restrictions on motorboat access to the lake, boater training and licensing, and respectful, common-sense operation by users of watercraft of all types, Lake Waramaug has enjoyed an excellent record of safety over the years. In fact, neither we nor any of the numerous lake residents we have surveyed are aware of any significant injury or incident resulting from personal watercraft colliding with a motorboat on our lake or from other "user conflicts". Through additional research and review of public records, we have been unable to discover a single such incident. Lake law enforcement officers and all conscientious Lake Waramaug boaters should be applauded for this record. Of course we must all remain vigilant to protect against

EXHIBIT 41 c

future incident, but this record does not indicate a problem with boater safety or collisions between motorboats and other watercraft on Lake Waramaug.

Increased Risk of Incident Outside the Proposed "Slow-No-Wake" Zone

There are risks inherent to all types of boating and additional risks associated with multiple operators of various vessels sharing any body of water. Restricting motorboat or water-skier access from a portion of the lake will not eliminate these risks and may actually increase the likelihood of collision or incident elsewhere. For a given number of motorboats on the lake, the proposed "Slow-No-Wake" zone will result in more concentrated high-speed traffic and motorboat density elsewhere. This is simple and undeniable math. If a motorboat is unable to travel at speed in one area, it will do so in another.

The stated purpose of the proposed "Slow-No-Wake" zone is "for the purpose of minimizing user conflicts by controlling boat wakes from powerboats in an area frequented by bathers and occupants of manually-propelled vessels." This is a noble aim, but the state park represents only one of many such areas on the lake. In fact, our four young children often swim and kayak in the waters near our house through which skiers and motorboats often travel at high speeds followed by large wakes. Most homeowners on the lake also own kayaks, canoes, or other personal watercraft. Children and adults use these vessels to traverse the entirety of the lake in a wide range of traffic patterns. Many others swim these or similar routes. There are at least two town beaches and two private beaches where swimmers and users of personal watercraft gather in large numbers at times, including one club just south of the proposed restricted area. Are we soon to prohibit motorboats from those waters as well? Should users of personal watercraft be limited to using only "slow-no-wake" zones? Of course not. Such restrictions would make the lake safer, but they would also diminish the lake experience for all users.

Lake Waramaug is a shared resource that should remain open to all approved vessels operating appropriately under established laws and regulations. Unfortunately, boating of any type and lake use generally exposes one to inherent risks. But these risks are lake-wide and not limited to any single area. ***So why is DEEP considering providing protection for one area and group of lake users with a new policy and restriction that will increase the risk of incident to residents and other lake users elsewhere?***

Existing Laws and Lake Regulations are Adequate and Effective

Fortunately for all users of the lake, there are currently many laws and regulations in effect that reduce these risks and that have contributed to the excellent record of safety that the lake and its users have enjoyed. While considering the adoption of this specific proposal, or any new initiative, let's first be sure we're taking full advantage of the rules and resources that are already in place.

The Lake Waramaug Association website www.waramaugassoc.org is an invaluable resource that all visitors to the lake, especially short-term visitors at the state park, should review extensively. In addition to many useful items of information about the lake generally, safe boating regulations (including speed restrictions for motorboats within 200' of personal watercraft, shore, docks, etc.) are spelled out clearly. There are also reminders for all boaters to look for, and maintain safe distances

EXHIBIT 41 D

from, swimmers who may be difficult to see and a number of other practical, common-sense suggestions to maximize enjoyment and safety while visiting the lake (pls see attached Exhibit A).

Observance and enforcement of these laws and regulations will help achieve the stated safety objective of the proposed "Slow-No-Wake" zone in the future, just as they have in years past. Motorboats are not allowed under current law to travel at high speeds within 200' of a kayak, canoe, or other personal watercraft. If the state park is crowded on a given day and many visitors are kayaking or canoeing in the area of concern (such as during peak hours on July 4 or Labor Day holiday weekends), motorboats and skiers will not (and should not) be able to travel at high speeds in this area without violating existing laws. But if the state park is not busy and few or even no personal watercraft are on the water in the area (which is most often the case), there should be no restrictions on motorboat speeds in this area other than existing regulations and the already-established and ample designated swimming area at the state park. Greater knowledge of these rules and adherence to both their letter and spirit will help ensure a continued strong record of safety on the lake. Are these rules provided to visitors to the state park or posted at the town boat ramp? If not, they should be. And of course, continued enforcement of these laws and regulations by our lake's highly professional and effective law enforcement officers will help.

All Boaters Must Share Responsibility for Safety

Users of personal water craft, especially inexperienced users, must also share in the duty and responsibility for safe boating. CT offers numerous boater safety classes, including classes specifically addressing the operation of kayaks and canoes. These are available under DEEP's own website (though there are no such classes currently scheduled - see attached Exhibit B). These are not currently required courses, but perhaps they should be considered as requirements or at least more actively encouraged for all personal watercraft users, especially less-experienced users and children who are occasional visitors to the lake.

In addition to these sources and the instruction and tips provided, the following are additional suggestions or experience-based practices that we recommend and use to help ensure the safety of our family and friends when using personal watercraft:

- Use only brightly colored kayaks, canoes or other watercraft. Our family uses only yellow, orange and red, which are the most visible. Blue, green and brown vessels are more difficult to see, especially in poor light. On darker colored vessels, reflector tape or other bright markings can and should be added to increase visibility.
- Use only bright yellow paddles. These can be seen from afar, especially when the user is paddling actively.
- Wear brightly colored life jackets – again, red, yellow, orange are the most visible colors.
- Try to stay in shallow water near the shore until the user is more experienced. Motorboats require deeper water and are restricted by law from traveling at high speeds within 200' of shore.

EXHIBIT 41 E

- Try to stay in groups, especially when paddling in open, deeper water. Larger groups are easier for other boaters to see and there is generally safety in numbers.
- If the sun is low, bright, and behind you, it will be in the eyes of oncoming boaters. Be very careful to identify and avoid oncoming boats under these conditions.
- Pay attention and stay alert! Boating is fun, but it can also be dangerous!

None of these suggestions or practices alone or even all of them taken together will ensure 100% safety for all users of personal watercraft or motorboats. But combined with continued vigilance of motorboat operators, enforcement of existing laws and regulations, and some amount of good fortune, they will help us achieve a continuing record of exemplary safety on the lake.

In closing, we would like to thank DEEP for its careful consideration of this issue. we would also like to thank the various lake-focused entities and supporters and law enforcement professionals that have helped make Lake Waramaug a beautiful, safe, and enjoyable lake for my family and all lake users. We look forward to many more safe and fun years here with all of our neighbors and other lake visitors. And finally, we would like to acknowledge and applaud the sincere intent of the advocates of the proposed "Slow-No-Wake" zone. We are all served well by sensible initiatives for greater safety on the lake and we should all share in the responsibility to ensure the welfare of all boaters and other users of the lake.

However, we can't support this specific proposal due to the increased disturbance and risk of injury it will bring to the lake waters near our house and other areas of the lake beyond the waters of the state park where our children and others swim, kayak, canoe, etc. If continued safety for ***all*** users of the lake is the aim (and it should be), let's achieve it through continued vigilance and enforcement of existing laws and regulations, or initiatives which are necessary, balanced, fair to ***all*** lake users and property owners, and effective in adding to the safety of ***all*** lake users. The proposed "Slow-No-Wake" zone would be none of these things.

Respectfully yours –

N. John Lancaster, Jr.

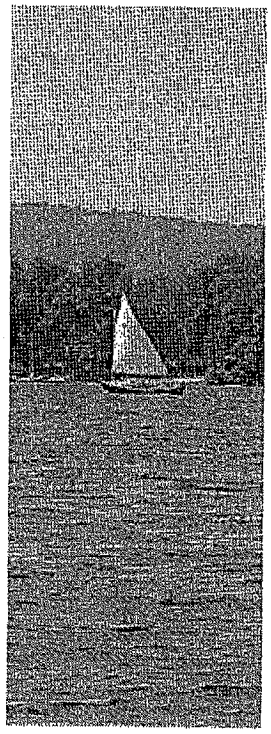
EXHIBIT 41 F

Exhibit A

All other motorboats, including jet skis, must be launched from Washington Boat ramp, which incorporates an inspection for dangerous plants or other material with each launch. The ramp is located on Route 45 near the Washington town beach at the southeast corner of the Lake.

Safe Boating

All Boaters must follow Connecticut laws and regulations. Boating information can be found in the **Connecticut Boater's Guide** which is also available from the Town Clerk. A "Safe Boating Certificate" is required in order to operate a motorized recreational vessel and must be on board at all times during operation. In order to obtain a Safe Boating Certificate, an individual must successfully complete an approved basic boating course or receive a passing grade on an equivalency examination administered by the DEP. Similar requirements exist for operating a Personal Watercraft (i.e. Jetski). **Certification and registration** information can be found on the CT Department of Environmental Protection website.



Connecticut law requires that all boats with motors — regardless of size — and sailboats powered by sail alone, 19 1/2 feet or longer, be registered and numbered before launching. If you purchase a boat that is currently registered, you are responsible for seeing that it is registered in your name. All vessels must be registered with the Department of Motor Vehicles (DMV). Evidence of ownership must be submitted at the time of registration. Upon receipt of the application and fee, an identification number will be assigned and a certificate of number/registration will be issued along with two validation decals. The registration will be valid until April 30 of the following year. Connecticut vessel numbers stay with the boat as long as it is registered in the state. Normally you will receive a registration renewal from DMV early in the calendar year. If you do not register the boat for a year, you will not receive another renewal notice and you must go to a DMV office to renew your registration.

Please practice safe and courteous boating. Connecticut boating regulations include:

- Operation of a vessel at a speed in excess of "slow-no-wake" speed is illegal within 100 feet of a boat, and 200 feet of personal watercraft, shore, docks, floats or moored or anchored vessels.
- Operate vessel only at minimum speed necessary to maintain steerage when within 100 feet of a marked swimming area.
- Ensure you have a Personal Flotation Device (PFD) of the appropriate size for **every** person on board; and every child under 12 is wearing a PFD.
- A spotter, who is at least 12 years old, is required when towing waterskiers, tubes, wakeboards, etc.
- To maximize enjoyment of the Lake for everyone please be aware of swimmers, kayakers, canoers and rowers and try to maintain distance and minimize your wake which may destabilize them.
- Be aware of swimmers far from shore who may be difficult to see.
- Minimize noise on the Lake in the early morning and at night.
- Violators may be fined.

SWIMMING AND LAKESIDE BEACHES

Swimmers should remain close to shore and in marked swimming areas. IT CAN BE VERY DIFFICULT FOR MOTOR BOATS TO SPOT SWIMMERS. If you plan to swim further from shore, have a spotter boat accompany you to divert other watercraft.

Access to the Lake is available at the Lake Waramaug State Park at the northwest end of the Lake, and, for residents of Warren and Washington with the appropriate permits, at their respective Town Beaches. These locations provide opportunities for swimming, picnics, non-motorized boating.

Warren Town Beach

The beach is open Memorial Day through Labor Day, 9:00 a.m. to 8:00 p.m. to Warren residents, taxpayers, and their guests. Vehicles owned or leased by property owners or renters are eligible for beach stickers which

EXHIBIT 41 G

Exhibit B

Combination Safe Boating/Personal Watercraft, Personal Watercraft and Canoe and Kayak Safety Class Schedules

Combination Safe Boating/Personal Watercraft Classes - These classes are 10 hours long. Most run for two weeks, two nights per week and qualify a person for the Certificate of Personal Watercraft Operation.

Personal Watercraft Classes - Personal Watercraft Classes are for individuals who would like to upgrade the Safe Boating Certificate to the Certificate of Personal Watercraft Operation.

Canoe and Kayak Safety Classes - Canoe and Kayak Safety classes are voluntary. They are about 2 hours long and are designed for beginning paddlers whether or not they have taken our other courses.

United States Coast Guard Auxiliary (USCGAux) and United States Power Squadrons (USPS) Courses

Private Provider Courses

Connecticut Coastal Boater Endorsement Program

Combination Safe Boating/Personal Watercraft Class Schedule

Town/City	Sponsor	Registration Phone Number	Class Location	Days	Class Start Date	Class Start Time	Class End Time	Class Fee
Groton	GROTON HIGH SCHOOL	(860)536-5680	William Seely School	T,W,TH	10/22/2013	5:30 PM	8:30 PM	$20.00
Ledyard	Ledyard Park and Recreation	(860)464-9112	Classroom	T,TH,T,TH	10/15/2013	6:30 PM	8:30 PM	$10.00
Manchester	Manchester CTC	(860) 512-3232	Classroom	M,W,M,W	10/7/2013	7:00 PM	9:30 PM	$20.00

Personal Watercraft Class Schedule

Town/City	Sponsor	Registration Phone Number	Class Location	Days	Class Start Date	Class Start Time	Class End Time	Class Fee
No classes currently scheduled.								

Canoe and Kayak Safety Class Schedule

Town/City	Sponsor	Registration Phone Number	Class Location	Days	Class Start Date	Class Start Time	Class End Time	Class Fee
No classes currently scheduled.								

The DEEP Boating Division urges all paddlers to periodically review paddle safety topics - A free Paddle Sports Safety Course is available online.

United States Coast Guard Auxiliary (USCGAux) and United States Power Squadrons (USPS) Courses:

The DEEP Boating Division strongly recommends the longer USPS or USCGAux courses, particularly for coastal boaters. (Their shorter courses are also accredited by the Connecticut DEP.)

United States Coast Guard Auxiliary (USCGAux):

- **Recommended course is "Boating Skills and Seamanship" or "BS&S"**

EXHIBIT 41 H

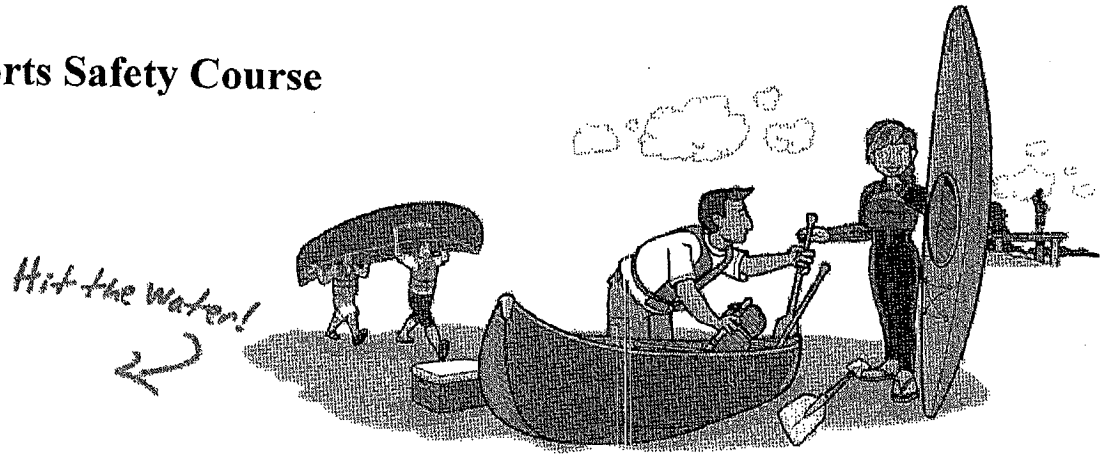
Exhibit B

BOATERexam.com
Educating Boaters Online

The FREE Paddle Sports Safety Course

Start the Course!

Returning user? Sign in here.

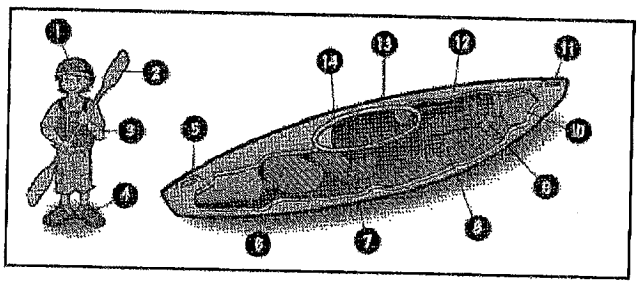


Course sanctioned by the National Association of State Boating Law Administrators & recognized by the U.S. Coast Guard

In short, it means you can study in the knowledge that this course doesn't just meet national standards, it exceeds them.And it's the only online course that can make that claim.

Everything from cockpit to keel in incredibly detailed illustrations

Don't just READ about it, SEE it! Boating education's industry leading illustrators bring the same detailed style and vibrant characters to life in a way that's the next best thing to being there (*maybe even better*). Check them out yourself!



Paddlers love the course ... and here's what they're saying:

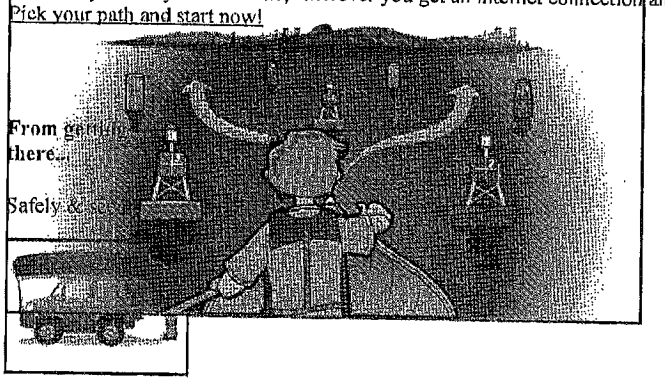
There are many safety risks to paddling. So we are excited to have an online course that can help us get that kind of message out. - *Pamela Dillion, NASBLA Education Director and former head of the American Canoe Association*

Sign in & out and paddle at your own speed

EXHIBIT 41 I

Exhibit B

From flatwater to whitewater, YOU SET THE PACE. Bear down and attack the course in one go, or set up camp and take it one leg at a time. It's all about you and your schedule, wherever you get an internet connection and have the time. Pick your path and start now!

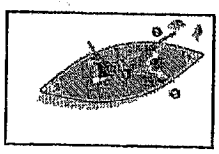


From getting there...

Safely &

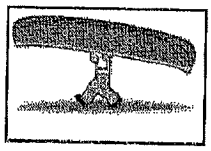
to getting in & out...

Dry and upright.



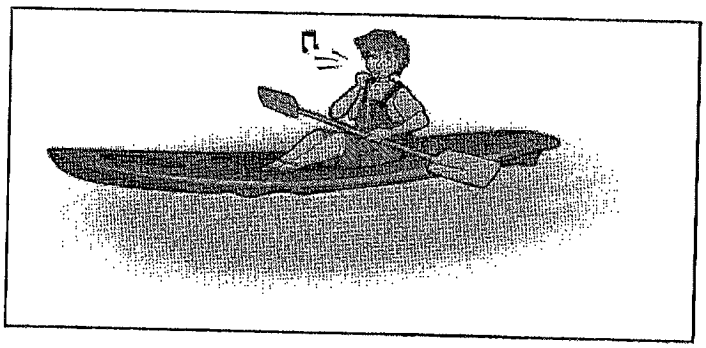
& getting around.

Balanced & surefooted.



Sit back, relax, and let the fully narrated course take you downstream

Have the narration guide you, or turn it off and read on your own. The choice is yours. Get active and read yourself, or listen as the voiceover carries you through like a well timed tailwind. Kick your feet up and get started!



Boating Safety Course

- Navigation rules
- How to get a Boating License
- Practice Test
- Select Your State
- Canada

EXHIBIT 41 J

Delgado, Timothy

From: Lancaster, John [jlancaster@riverstonellc.com]
Sent: Friday, January 03, 2014 4:31 PM
To: mark.lyon@washingtonct.org; Robert Kane (rob.kane@cga.ct.gov); andrew.larson@cga.ct.gov; Arthur O'Neill (arthur.oneill@housegop.ct.gov); cfrisbie@warrentct.org; clark.chapin@cga.ct.gov; craig.miner@housegop.ct.gov; firstselectman@townofkent.org; roberta.willis@cga.ct.gov
Cc: Delgado, Timothy; njohnlancaster@gmail.com
Subject: Proposed "Slow- No-Wake Zone" on Lake Waramaug
Attachments: NJL T Delgado 10-22-13.pdf

Esteemed Ladies and Gentlemen -

For those of you I haven't met or spoken with previously, my name is John Lancaster and I am a resident of 244 West Shore Rd. located on the southwestern shore of Lake Waramaug in New Preston, CT. I am strongly against the proposed "Slow-No-Wake Zone" for many reasons.

I have attached a copy of my original submission to Tim Delgado of DEEP sent in October. This letter outlines many of my specific concerns in some detail and it also goes on to suggest many sensible proposals for continuing and further ensuring the outstanding record of safety that users and residents of Lake Waramaug has enjoyed. In summary, my views as further laid out in this letter are as follows:

- The lake is already a very safe body of water with an outstanding record of safety. While the pursuit of greater safety is ever important, any permanent restriction such as this one should be considered only where there is a clear and critical need. There is already a large and well defined swimming area at the park and there has not been a single incident on record of powerboats colliding with either swimmers or personal watercraft.
- Existing state boating laws and regulations are adequate, sensible and effective. In fact, the impressive safety record of the lake is largely due to these rules and regulations and the constant and effective police presence we enjoy on the lake. Our lake law enforcement officers do a great job, but many users of the lake could be more informed of the applicable laws and regulations and greater observance and enforcement of these laws and regulations should be considered before such a permanent restriction is placed on an already small but safe lake.
- On the busiest days of the year when boat traffic is highest, this proposed zone will actually make the majority of the lake MORE DANGEROUS. It's simple math: if motorboats are no longer able to travel in high speeds in the proposed restricted zone, they will do so elsewhere on the lake.
- My children and many others swim and kayak on all areas of the lake. This proposal seeks to protect only the users in a limited area near the state park and may actually increase the chances of incident elsewhere. Why should the users of the Washington Town beach, Warren Town Beach and the lake clubs where many children and adults gather to swim or paddle, be less protected than users of the state park?
- Sensible boater training and common-sense practices should be adopted and further emphasized before a restriction such as this impacts the lake forever. As I describe in my original letter, my children use only bright yellow or red kayaks and bright yellow paddles that can be seen clearly from other boats at even long distances. Simple reflector tape can be added to other color kayaks. Boats of all types can co-exist safely on all parts of the lake as they have for years as long as rules are followed and people act sensibly and respectfully to the lake and other users.

EXHIBIT 41 K

Since writing this initial letter, I have reached out to many of you and other State officials. I have also spoken or exchanged emails with many concerned residents and users of the lake. Although awareness of this issue was quite limited initially, it has clearly received increasing attention in recent weeks from both residents and elected officials.

I understand that many of you will be meeting with Susan Whelan and other of the DEEP as a group sometime in the next few weeks to discuss this. I applaud this collective effort and appreciate the time you are all giving to this important matter. Lake Waramaug is a wonderful body of water that is a shared resource of all three lake towns and the broader State of Ct. Thankfully, it has been a very safe body of water due to the observance and enforcement of existing laws and regulations, combined with sensible, respectful boating practices of lake residents and other visitors. Please choose to reject this proposed "Slow- No-Wake Zone". It is unnecessary and it carries with it many negative unforeseen consequences. This ENTIRE lake should be open to and shared by ALL users as long as they respect and adhere to appropriate and existing laws and regulations and use common-sense and respectful practice when boating, kayaking, or swimming.

Thank you very much for your time and consideration of this matter. I would be happy to speak with any of you further if you have any questions or comments and I wish you well in your deliberations and for a happy and healthy 2014!

Respectfully -

John Lancaster
244 West Shore Road
New Preston, CT 06777
203-662-6629

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EXHIBIT 41 L

Notice of Audio Record

Provided By: JOHN LANCASTER

Comment Provided at Public Hearing November 8, 2013*

Track	Time
5	1:52

FOR AGAINST

OTHER

*The referenced audio record is available by written request through the
DEEP Boating Division, P.O. Box 280, Old Lyme, CT 06371
or by email via timothy.delgado@ct.gov
Those requesting the audio record may be asked to provide digital recording media (e.g. a flash drive)

EXHIBIT 41 M

Tim Delgado
DEEP-Marine Headquarters
Boating Division
P.O. Box 280
Old Lyme, CT 06731

Re: Proposed "slow- no- wake zone" on Lake Waramaug

From: Anne-Marie and Donald Morris, 18 Arrow Point Rd, New Preston

We are firmly against the proposed regulations, which would restrict our activities and our ability to enjoy our lake. People who use kayaks and canoes should be instructed in their safe use. Swimmers should not venture far from the shore, but stay in safe areas. There are already speed limits for motor boats near the shore, and the home owners who use the great majority of the boats on the lake use them responsibly. Our own pet peeve is the dangerous jet skis that are launched from the State Park Area, and go at great speeds around in big circles in that section of the lake, in and outside of the proposed area, and exceed the restricted speeds near the shore.. It has been shown the the people who use these vehicles, often inebriated, cause more accidents than any other water craft. If authorities are interested in more safety for the lake, these vehicles should be banned. Since they cannot be inspected appropriately, they can also bring in noxious weeds in the lake.

Sincerely yours,
Anne-Marie & Donald Morris
Nov 17, 2013

EXHIBIT 42, 43A

Notice of Audio Record

Provided By: Donald Morris

Comment Provided at Public Hearing November 8, 2013*

Track	Time
9	8:15

FOR AGAINST

OTHER

*The referenced audio record is available by written request through the
DEEP Boating Division, P.O. Box 280, Old Lyme, CT 06371
or by email via timothy.delgado@ct.gov
Those requesting the audio record may be asked to provide digital recording media (e.g. a flash drive)

EXHIBIT 43B

October 15, 2013
Department of Environmental and Energy Protection
Mr. Timothy Delgado
Proposed No Wake Zone – Lake Waramaug

To Whom It May Concern:

In response to the recent proposal to impose a slow no-wake zone at the northern section of the Arrow Point cove / State Park on Lake Waramaug (also referred to as the Lake), I must express my disapproval. As a long time resident of the area in question, the first on Arrow Point Road in fact, I strongly disagree with the assessments of the Lake Waramaug Association (from this point on, referred to as the LWA) in this matter.

Being that I have been a resident on this lake since the 1970's and am an avid water sports participant, I can attest to the fact that the boat traffic on this lake is lower than on most inland water bodies in the state and that the boat traffic poses a minimal threat to non-powered vessels. Contrary to what the LWA has cited as an increase in boating traffic and risk of accidents, the overall boating traffic has actually decreased significantly due to the severely restricted use imposed by the LWA in recent years; their recently adopted regulations that allow for only a maximum of 7 day use passes, and a maximum of 12 passes for those camping at the state park. These 19 boaters in addition to those who reside on the lake means that the lake does not suffer from the heavy traffic as perceived by those members of the LWA. Case in point – the number of boaters using the Housatonic River / Lake Zoar on any given day easily outnumber those on Lake Waramaug. Due to Lake Zoar being an extremely narrow waterway, there is a significantly higher risk to non-powered vessels operated by novice and experienced persons alike from Kettletown State Park, Jacksons Cove and the numerous other areas along that waterway even on its slowest days than Lake Waramaug will ever experience even on its heaviest use day.

In addition to the LWA's exaggeration of the risk to non-powered vessels, I feel that this additional regulation, in conjunction with the other various and numerous regulations that have been imposed on the Lake over the years, will severely restrict overall enjoyment of the lake and will have an extremely adverse impact on my property values. I cannot support a regulation that will have a highly negative impact on my property use, values and marketability as my waterfront will likely fall within this proposed no wake zone and be directly affected by this proposal based on the information I have seen.

I view this proposal as unnecessary and in my opinion, just a way for the LWA to further restrict the use of the Lake. The only beneficiary to this proposal is a private business entity that operates out of the State Park for profit. I am of the opinion that if this proposal passes, others will then seek to expand the no wake zone and eventually seek ban all motorized vessels.

Regards,

Mr. and Mrs. Tracy Fryer
6 Arrow Point Road
Warren, CT 06770

EXHIBIT 44, 45

Delgado, Timothy

From: Brown, Bob [bbrown@AdventInternational.com]
Sent: Tuesday, October 22, 2013 3:43 PM
To: Delgado, Timothy
Subject: Lake Waramaug No Wake Zone

Mr. Delgado,

I am a Lake Waramaug property owner and am writing this letter to voice my concern over the proposed "no-wake zone" going to hearing on November 8th. As I understand it, the primary purpose of this proposal is greater safety and yet Lake Waramaug is already a very safe lake, especially when compared to other local CT lakes. As a result, I am concerned that any action taken to enhance the safety of an already safe lake might have certain unintended consequences. For instance, is it possible that restricting a certain area of the lake from skiers will actually increase the density of said activity in other parts of the lake making for a less safe environment overall? Who will be held responsible if any actions taken actually lead to real safety issues on the lake? Have issues such as these been considered and studied?

We love Lake Waramaug and the opportunity it offers to those of us lucky enough to live there. I recognize that this issue is being considered to preserve the lake and its wonderful qualities and I sincerely hope that any initiatives to enhance safety are thoroughly considered and that any and all potential unintended consequences are raised and ruled out before proceeding. With such a high safety record, even a single incident would cause exponential damage and concomitant loss of faith in due process.

Respectfully,

Robert Brown
127 West Shore Road

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named recipient(s) only.
If you have received this email in error, please notify the system manager or the sender immediately and do
not disclose the contents to anyone or make copies thereof.

EXHIBIT 46

Delgado, Timothy

From: Mercedes Mestre [mestrem3@gmail.com]
Sent: Saturday, October 26, 2013 4:29 PM
To: Delgado, Timothy
Subject: I am against the proposed NO WAKE zone in Lake Waramaug

Dear TImothy,
I have a house on Lake Waramaug at 187 West Shore Road, New Preston, CT (since 1985). I am 65 and row every morning during the summer. I also paddleboard and swim. I also waterski. I taught my granddaughter to waterski this summer. I strongly believe that if you make a rule for one sports group (water skiers)or fishermen,you should also make a rule for the others (kyayakers,canoers etc...They should remain within 100 feet of the shoreline to avoid having an accident with a motorboat. I keep within this distance when I swim. You should also know , that the faster a boat goes, the smaller the wake so essentialy what you will create with this NO Wake zone by asking people to go go 5mph is MORE WAKE!
The wake destroys the shoreline.
.Sincerely,
Mercedes Meste
Board Member of the Lake Waramaug Task Force and Peter Bonachea
Board Member of the Lake Waramaug Association ps.
The worst drivers of motor boats are those taking their kids tubing. They zig/zag and look back all the time and are not careful of what they have in front. Perhaps a better rule would be to ask them not to tube in that area.They also go slower than waterskiers and create more wake.Let's all keep our beautiful lake clean and safe but let's also uphold equal opportunity and rules for all sportspeople!

NOTE

The name of Peter Bonachea was withdrawn from opposition at the request of Mercedes Mestre

Email, 29 October 2013

EXHIBIT 47

Delgado, Timothy

From: Craig Bibb [bibb@jasperfunds.com]
Sent: Monday, November 04, 2013 4:38 PM
To: Delgado, Timothy
Cc: Esty, Daniel
Subject: Lake Waramaug Slow/No Wake Zone proposal

Don't let yourself be duped.

The real purpose of the Slow No Wake Zone proposed for Lake Waramaug (Section 15-121-B15p) is to push motor boats and jet skis away from the property of David Robinson, a wealthy board member of the Lake Waramaug Task Force and, I believe, a former board member of the Lake Waramaug Authority. He owns about 90% of the Warren shoreline that would directly benefit from the new rule. The jet skis that moor at the state park are a loud unwelcome presence in that cove. I know. I live in the same cove. I wish I had the political firepower to get them banned from in front of my house.

The "stated" purpose of the regulation is laudable -- "Minimizing user conflicts by controlling boat wakes from power boats in an area frequented by bathers and occupants of manually propelled vessels." That is a long way of saying that we want to keep swimmers and kayakers safe from motor boats. No one would argue against this goal which is a worthy aim for the entire lake and....every body of water on the planet.

The area where jet skis and other motor boats would be banned does indeed get crowded on a few summer weekends each year for perhaps 4 to 5 hours on those days. The total number of crowded days per year is roughly 6 to 8. The means there are about 30-40 hours a YEAR when lake users would benefit from the proposed regulation. But, the regulation, as written, would ban motor boats in that cove for 8760 hours a year (every day all day). This is insane overkill. It is almost comical. It is so grossly over-the-top relative to the size of the problem that it makes one wonder about the real purpose of the rule. Moreover the rule was first floated in the Spring but the public debate is only now happening in November when most lake residents are elsewhere. The original Warren discussion took place with no prior public notice.

The rule was proposed by the Lake Waramaug Authority which is run by David Robinson's friend Ed Berner. It is hard to learn more about the genesis of the proposal because the Lake Waramaug Authority does not have a web site and does not publish its minutes as far as I can tell. Mr. Berner has stated on more than one occasion in public forums that the motor boat ban must be "all day, every day" because that is the only solution that is acceptable to the DEEP. That is odd and I wonder if it is true. Is it?

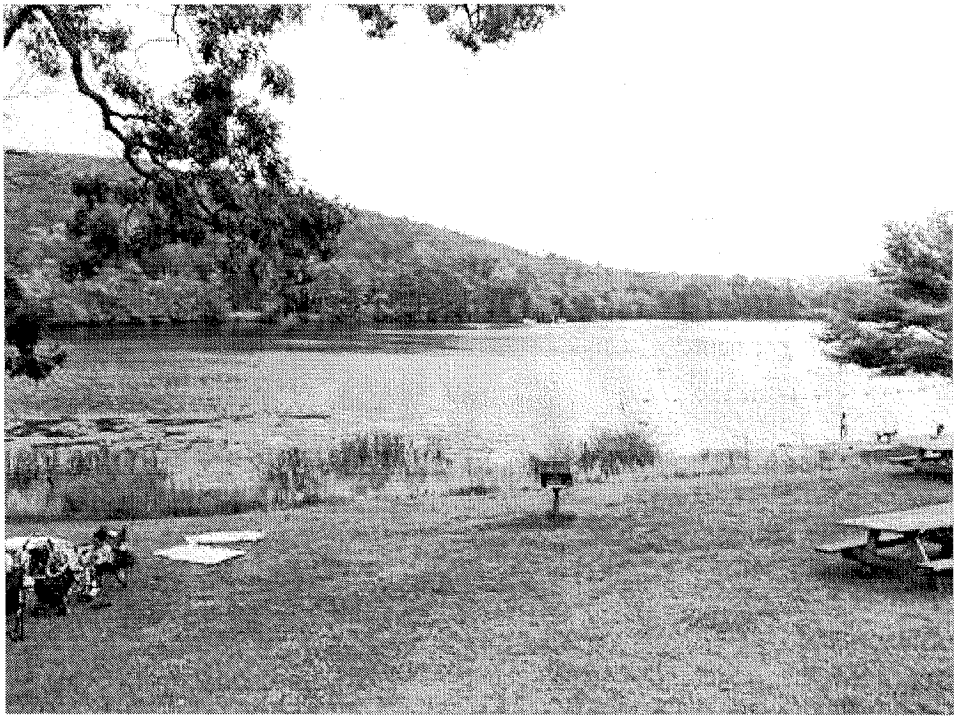
The Washington Resident Trooper seemed amenable to a solution in which he simply dropped a buoy with a No Wake flag on crowded days but Mr. Berner quickly shot down this more measured approach as unacceptable to the DEEP. I find this difficult to believe. The "always or never" solution is similar to banning cars from Manhattan's Broadway because it gets really crowded with pedestrians during the Thanksgiving Day parade.

Here is the area of the proposed ban on July 4th:

EXHIBIT 48 A

Not too crowded!

And here is the same crazy overcrowded section of the lake on Labor Day weekend:



These may be just two pictures taken on the busiest weekends of the year, but they represent more data than has been provided by the proponents of banning jet skis in front of the Robinson property. Number of motor boats

EXHIBIT 48 B

per day, swimmers, kayakers??? Incidents??? I would like to see some facts before any rule is considered. Where is the data?

If the rule is simply a favor to Mr. Robinson then why not be truthful about it. He seems like a nice guy and I believe he has been a friend of the lake. Just "not building houses" on his large lakeside property is worth a medal. Maybe he deserves a reward and some recognition, but let's call it what it is and not move forward under false pretenses. Doing so will only encourage more subterfuge.

Please don't allow the DEEP and the State of Connecticut to be duped.

Sincerely,

Craig Bibb

72 Lake Waramaug Road

New Preston, CT 06777

860 868 1493

bibb@jasperfunds.com

PS:

I hope you realize that the Lake Waramaug Association, Lake Waramaug Task Force, and Lake Waramaug Authority represent the views of just a handful of families on the lake—including the Berners and Robinsons. Some families are on the boards of two groups. New board members are proposed by existing board members and elected by voice affirmation at open but lightly attended meetings. There is no prior notice of the elections and no competition for the open slots. Less than 10% of the families that own property around the lake are present at meetings when the "yay or nay" board votes are made. This doesn't make these organizations wicked by any means (they do a lot of great work) but they are by no means close to being elected representatives for the Lake community.

EXHIBIT 48 C

Delgado, Timothy

From: Keith Angell [kga57@yahoo.com]
Sent: Tuesday, November 05, 2013 9:24 PM
To: Delgado, Timothy
Subject: DEEP Notice of Intent to Amend the Boating Safety Regulations

Dear Mr. Delgado,

I own a home and property on Lake Waramaug and have been a member of the community there for over 50 years. This is my third property ownership in Washington and second property ownership in Washington over the last 10 years with lake frontage. I have been a motor boat, canoe, kayak and sailboat owner as well for much of my experiences on the lake. I currently own a motor boat used for tubing and skiing, a canoe, 2 kayaks and a sailboat. I am writing in regards to the Notice of Intent to Amend the Boating Safety Regulations.

I am adamantly opposed to this amendment.

Here is why:
1) **There have never been any accidents** on this lake with the current restrictions. Leave them as is.
2) There are only 2-3 days per YEAR (generally speaking the July 4th weekend and perhaps Labor Day Saturday) where there is any significant boating traffic on the lake where there is any potential danger. I was on the lake in this area 42 days this 2013 summer and have many pictures of this cove with no one on the water or in it. Friends and I water ski in this cove all the time as it has the calmest water - from in front of the state park beach all the way to the opposite cove and back. We have never had any issues with this, especially in the morning and late afternoons. **The cove is totally EMPTY over 98% of the time.**
3) **There are already restrictions** for 100' from the shoreline for the 10 miles of Lake Waramaug shoreline. This equates to over 124 ACRES of protected water, where canoeists, kayakers and sailors can enjoy the lake without interference from power boats. These 124 acres equal 18% of the lake's 692 acres already. **So there is NO NEED to increase this restriction** and take away this prime corner of the lake from water skiers, tubers, wakeboarders, etc especially when for 95% of the time,

EXHIBIT 49 A

no one even uses this lake area! Almost 100% of May, June, September and October, we have not seen anyone!
4) If any safety consideration is to be made, it should be for the one weekend each summer when the state park has relatively high usage – July 4th weekend. Even this year, we skied on the mornings of July 3rd, 4th and 5th and there were no sail boats, kayaks, or canoes out at all from 7 to 10am or in the early evening hours! **Let's be sensible** about additional restrictions to solve an potential issue that occurs parts of days less than 2% of the time (2 or 3 days out of 180 from May 1 to October 31) and is only a real issue for selected parts of those few days of the entire summer. We ski from May until November!
5) I am sure there are records at the state park that verify that kayak and canoe rental are only significant a few days of the year and only a few hours of those days. **Don't penalize the entire lake motor boating community**, when these non-powered boats (which I won and use as well) already have almost 20% of the lake under restriction, and have such limited 'high usage' – a few hours during midday on a few days per year.
6) I believe **there will be significant financial impact** to he home owners on the lake if this passes. The majority of owners of homes on the lake own motor boats. The value of homes on the lake is driven by these owners' value in utilizing the lake for their boating pleasure. If you reduce the pleasure by further restricting the lake use of motor boats and taking away an even larger portion of the lake, this will reduce the attractiveness of the lake and thus reduce the property values. Reduced property values equals reduced real estate tax income to the town, reduced property transfer fees to the state and reduced income and taxes due to less people being interested in living on a lake with such restrictions.

I am unable to attend the hearing this week, but want to make it clear that **I am adamantly OPPOSED to this amendment.**

Please feel free to contact me at anytime via mail, email (kga57@yahoo.com) or cell.

Respectfully,

Keith G. Angell
47 West Shore Road
Washington, CT 06777

EXHIBIT 49 B

Cell: 508.308.0958

EXHIBIT 49 c

Delgado, Timothy

From: Schein, Mark [MSchein@yorkcapital.com]
Sent: Friday, November 15, 2013 9:36 AM
To: Delgado, Timothy
Subject: No Wake Zone on Lake Waramaug

Hello Mr. Delgado,

My family and I own a home on West Shore Road. I have summered on the lake for 35 years and have been a boat owner as well. I do not currently own a motor boat, but do swim, kayak and sail on the lake. Some summers we rent a motor boat. I wanted to let you and your committee know that I do not think that a "no wake" zone is necessary at all on the lake. I think people using the lake need to be aware of those around them and proceed in a safe manner no matter what part of the lake they are on. I am concerned that creating a no wake area would force more motor boats into the rest of our small lake and make things more dangerous for swimmers and kayakers in the rest of the lake.

Thanks for your time and consideration on this issue.

Mark Schein

MARK D. SCHEIN
Chief Compliance Officer
Managing Director
York Capital Management
767 Fifth Avenue, 17th Floor
New York, NY 10153
212-300-1372

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EXHIBIT 50

Delgado, Timothy

From: RAYMOND SCHABER [u15291@snet.net]
Sent: Friday, November 15, 2013 9:11 PM
To: Delgado, Timothy
Subject: Slow-No-Wake zone will be implemented on Lake Waramaug

Dear Timothy Delgado; I am a CT. boater and am opposed to the no wake zone for Lake Waramaug. The issue is covered by Speed Regulations and Reckless Operation sections in the CT. Boaters Guide page 29. I boat on the CT. River while rowing sculls are out and always give them plenty of room and slow down as needed. We don't need more laws.
Raymond Schaber
Windsor, Ct.
u15291@snet.net

Description: Under this proposal, a Slow-No-Wake zone will be implemented on Lake Waramaug in the northern portion of the cove adjacent to Lake Waramaug State Park, for the purpose of minimizing user conflicts by controlling boat wakes from powerboats in an area frequented by bathers and occupants of manually-propelled vessels.
The proposal of this amendment follows the May 16, 2013 vote of the Town of Warren legislative body and petition of ten or more persons pursuant to CGS Section 15-136(b)(2). There is no anticipated fiscal impact to the municipality or to the State. There is no anticipated adverse impact to small business.
Written Comments: All interested persons are invited to submit comments regarding the proposed amendment to the DEEP-Marine Headquarters, 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 between 8:00 AM on the November 1, 2013 and 4:00 PM on November 22, 2013 (extended to October 1, 2013 to November 22, 2013). Comments may be submitted by post, facsimile to (860) 434-3501 or by electronic mail to timothy.delgado@ct.gov. Only those written comments containing the name and address of the commenter will be considered.

EXHIBIT 51

Delgado, Timothy

From: OutboardBob@aol.com
Sent: Tuesday, November 19, 2013 11:17 AM
To: Delgado, Timothy
Cc: gaeton@optonline.net; gwlk@aol.com; Grant@ctmarinetrades.org; Glownds@sbcglobal.net; jcraine@optonline.net; Mariani, Eleanor; Powe, Miraflor; ccsct@comcast.net; OutboardBob@aol.com; pierog.sandra@gmail.com; jmcd51@aol.com; Steven.GM.Biro.USCG.Aux@gmail.com; Thomas@reynolds1859.com; lotec@optonline.net; Payton, Mike; Byron, John
Subject: Comments on Proposal for a Slow-No-Wake Area on Lake Waramaug

Having attended the Public Hearing on the Proposal for a No Wake Speed Zone for Lake Waramaug that took place at the Town Hall in Warren, Connecticut on Friday, November 8, 2013, I am taking this opportunity to submit additional comments.

Based on comments given by both the person who initiated the proposal and others who supported the proposal at the hearing, the reasoning behind this proposal is fundamentally flawed and should be dismissed for the following reasons:

1) A wake resulting from a powerboat was never mentioned during the Public Hearing and is therefore not a problem and is not even an issue, yet the person who initiated the proposal is requesting: Slow-No Wake, which is completely unreasonable at 6 mph.

2) There are occasional instances where there are increased numbers of hand powered rental craft in the cove that have come primarily from the campgrounds of the state park, which is located on the west shore of the cove. The person who initiated the proposal stated that during these occasional instances that it is an accident waiting to happen. However, the proposal is completely unreasonable in that the proposal completely places all of the burden on the power boater, and none on the operators of the hand powered craft.

Lets draw a parallel with the North Cove and Route 341, which goes right through the center of Warren Connecticut.

What if there were occasional instances where people walking their dogs down the center or within the travel lanes of the roadway on Route 341. That would certainly be an accident waiting to happen. Would the solution be to completely place the burden on the motorist by placing a 6 mph speed limit on motor vehicles for a distance of approximately six football fields? Of course it would not. A six mph speed limit on motor vehicles would not even be considered.

What if there were occasional instances where people jogged and at times jogged while pushing three-wheeled strollers containing a child down the center or within the travel lanes of the roadway on Route 341. That would certainly be an accident

EXHIBIT S2 A

waiting to happen. Would the solution be to completely place the burden on the motorist by placing a 6 mph speed limit for a distance of approximately six football fields? Of course it would not. A six mph speed limit on motor vehicles would not even be considered.

What if there were occasional instances where bicyclists traveled down the center or within the travel lanes of the roadway on Route 341. That would certainly be an accident waiting to happen. Would the solution be to completely place the burden on the motorist by placing a 6 mph speed limit for a distance of approximately six football fields? Of course it would not. A six mph speed limit on motor vehicles would not even be considered.

Everyone who uses a roadway currently shares the burden of responsibility for safety: Motorists, Joggers, Bicyclists, People walking their dogs, and Pedestrians. Everyone who uses a roadway must exercise caution, have an awareness of what is happening around them, and must not put themselves in harms way.

The same is true on the water. Everyone on the water shares the burden of responsibility for safety: Power boaters, Sail Boaters, People operating canoes, People operating kayaks, and swimmers. Everyone who uses the water must exercise caution, have an awareness of what is happening around them, and must not put themselves in harms way. Placing a 6 mph limit on an open water location is madness just as it would be on an open roadway location. The thought of a 6 mph limit on an open roadway would never enter anyone's mind, and the same should be absolutely true for an open waterway.

3) A 6 mph speed limit would be all day, 7 days a week, for the entire year when the lake is not frozen, when the extent of the increased hand powered boat usage is only occasionally.

4) There is already a 6 mph limit to 100 feet from shore, all around the lake. The cove is about 900 feet wide, which leaves 700 feet for the lake speed limit for power boaters. A method must be exercised for hand-powered boaters during those occasional periods of increased hand powered activity.

5) The State Trooper became unprofessional during his second round of comments when he made the situation personal by reacting to the many negative comments regarding the proposal, and subsequently commenting during the Public Hearing that his "reputation" was being "impugned". It was obvious that his comment of his reputation being impugned was made to exert exceptionally undue and completely unwarranted influence on DEEP Personnel. Actually, his comments were being opposed, and rightly so, because this proposal is without merit, and without a doubt the wrong way to solve the situation of occasional increased usage of the cove. Just because a State Trooper supports a proposal, that in no way means that everyone else should automatically fall in line with him, which it seems to me is what he expected. Again, this proposal is the wrong way to solve the situation of occasional increased usage of the cove.

6) A comment in favor of the Proposal was made during the Public Hearing that the amount of lake area covered by the Proposal was, I believe, 4%. This is not in any way a reasonable justification for a 6 mph speed limit. Again comparing it to

EXHIBIT 52 B

motorists traveling on Route 341 through Warren. An attempt to impose a 6 mph speed limit for the length of six football fields on Route 341 through Warren because that length is probably significantly less than one-tenth of one percent (0.1 %) of the length of Route 341, would not be taken seriously, and would not even be considered.

On inland waters, the Slow No Wake, Six mph speed limit is intended for: 1) narrow channels where boats traveling in opposite directions must pass by close to one another, and 2) the water surface area within 100 feet from shore.

Best Regards,

Bob Zipps

At the end of each day
what can you say
that you have done
to make boating more fun?

EXHIBIT 52 c

Notice of Audio Record

Provided By: BOB ZIPPS

Comment Provided at Public Hearing November 8, 2013*

Track	Time
7	0:48
10	1:30

FOR AGAINST

OTHER

*The referenced audio record is available by written request through the
DEEP Boating Division, P.O. Box 280, Old Lyme, CT 06371
or by email via timothy.delgado@ct.gov
Those requesting the audio record may be asked to provide digital recording media (e.g. a flash drive)

EXHIBIT S2 D

Notice of Audio Record

Provided By: JAMES KELLEY

Comment Provided at Public Hearing November 8, 2013*

Track	Time
8	0:00

FOR AGAINST

OTHER

*The referenced audio record is available by written request through the
DEEP Boating Division, P.O. Box 280, Old Lyme, CT 06371
or by email via timothy.delgado@ct.gov
Those requesting the audio record may be asked to provide digital recording media (e.g. a flash drive)

EXHIBIT 53

Delgado, Timothy

From: Anthony Mann [amann@ej1899.com]
Sent: Monday, November 25, 2013 8:31 AM
To: Delgado, Timothy
Subject: Proposed "Slow-No-Wake Zone" on Lake Waramaug
Attachments: DOC112513-001.pdf

Mr. Delgado,

My name is Anthony Mann and I own a home at 41 Arrow Point Road. I am writing to you regarding the "Slow-No-Wake" zone being proposed for the northern portion of Lake Waramaug adjacent to the state park.

Please see my attached letter.

Thanks,

Tony

EXHIBIT 54 A

Anthony E. Mann
41 Arrow Point Road
New Preston, CT 06777

11/22/13

Tim Delgado
DEEP-Marine Headquarters
Boating Division
P.O. Box 280
Old Lyme, CT 06731

Re: Proposed "Slow-No-Wake Zone" on Lake Waramaug

Dear Mr. Delgado,

I am reaching out to you in opposition of the slow-no-wake zone proposal for the northern portion of Lake Waramaug near the state park. My wife and I are the owners of a house on Arrow Point Road whose safety would be adversely affected by this proposal. We have four children ages 10 to 19. Boats would be turning at high speeds in front of our property where our children, family and friends swim, kayak, paddle board and boat. Forcing motor boaters out of the northern area would make it less safe for us as well as other people on the lake.

Our three older children, my wife and I are licensed by the state to operate a motor boat. We take this very seriously and have learned that the other lake residents similarly do so.

I ask that you do not approve the slow-no-wake zone and take into account the safety of all residents on the lake.

Thank you for your consideration.

Anthony E. Mann

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DEC -2 2013
DEPT. OF ENVIRONMENTAL PROTECTION
BOATING DIVISION

EXHIBIT 54 B

Delgado, Timothy

From: Lisa Stuart [lisagstuart@aol.com]
Sent: Sunday, November 24, 2013 5:13 PM
To: Delgado, Timothy
Cc: Scott Stuart
Subject: Slow No-Wake Zone on Lake Waramaug

Dear Mr. Delgado, We have been home owners on Lake Warmaug for six summers. We live at 157 and 155 North Shore Rd. My husband and I have four children, and our ENTIRE family loves to water ski, kayak, swim, paddle board, tube and sail on Lake Waramaug. We are on the water all day every day throughout the summer. We are firmly OPPOSED to the slow no-wake zone proposed for the state park area. It is unnecessary. There are plenty of good safety rules in place already, and it has been our experience that people on the lake respect these rules and always opt to behave safely. The police launch is also very helpful in promoting safety. If boats have less room to navigate, this new zone will certainly create new dangers. Thank you for your time and attention to this important issue. Lisa Stuart, 157 North Shore Rd., New Preston, CT 06777 203-661-2018

EXHIBIT SS

Delgado, Timothy

From: Charlie P. Eaton [CPE@EATONPARTNERSLLC.COM]
Sent: Friday, November 22, 2013 4:29 PM
To: Delgado, Timothy
Cc: 'mark.lyon@washingtonct.org'; Warren; 'firstselectman@townofkentct.org'; 'Lancaster, John'
Subject: Lake Waramaug

Dear Tim,

I have just heard about the proposal to restrict motor boating around the state park on Lake Waramaug and would like to express my opinion and objection to the proposal. My family would not want to support such a restriction as we feel it is unnecessary and it would reduce the area on the already relatively small lake that residents can enjoy with their boats. I feel it is unnecessary because we have been boating on the lake for 40 years and in the time frame we have observed a very significant reduction in the number of boats on the lake to the extent that motor boating just doesn't seem like a problem. Furthermore we are not aware of incidents that involve problems for people enjoying the park, kayaking, swimming, fishing, etc. I believe the Lake Waramaug residents that have motor boats are very conscientious about safe boating practices and courtesy with respect to maintaining a safe and polite distance from the park, other boats, docks, and any other activities taking place at any place on the lake.

Sincerely,

Charlie Eaton

284 West Shore Drive

Eaton Partners
131 Rowayton Avenue
Rowayton, CT 06853
203 831 2970 Main
203 831 2976 Fax
cpe@eatonpartnersllc.com
www.eatonpartnersllc.com

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EXHIBIT 56 A

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EXHIBIT 56 B

Delgado, Timothy

From: Neary, Jim [jim.neary@warburgpincus.com]
Sent: Friday, November 22, 2013 4:13 PM
To: Delgado, Timothy
Subject: RE: Notice of Intent to Amend the Boating Safety Regulations: Lake Waramaug

Dear Mr. Delgado,
With very little time to spare, I wanted to register my objection to the proposed Slow-No-Wake Zone on Lake Waramaug. I am a long time Warren resident with a property directly on the lake (on North Shore Road). I have boated on the lake for many years. Current rules and regulations, and frequent patrolling, do an excellent job making the lake a safe and secure recreational boating venue. In fact, I am not aware of any significant accidents or water safety events on the lake over the last decade. My concern lies simply in the fact that this seems to be a solution desperately seeking a problem. Moreover, it is a solution that has not had ample vetting. I understand that a public hearing took place but as I'm sure you are aware, many lake residents were unable to attend. I do not believe there is a need for incremental legislation and encourage the town of Warren to consider dropping this proposal, particularly given the fact that it affects 2 other towns.
Thank you very much for your consideration.

Jim Neary
85 North Shore Road
Warren, CT

From: Delgado, Timothy [mailto:Timothy.Delgado@ct.gov]
Sent: Tuesday, October 08, 2013 10:37 AM
To: 'Eric Madoff'; 'Tom McGowan'; 'James Kelly'; 'Colleen Frisbie'; Neary, Jim; 'Nickoll, Ben (New York)'; 'John Lancaster'; 'Doug Hamilton'; Stefon, Laura; Deshais, Janice; 'jzanotta@murthalaw.com'
Subject: Notice of Intent to Amend the Boating Safety Regulations: Lake Waramaug
Importance: Low

Note: Please click on the link to the DEEP's website for links to a map and additional information.

Notice of Intent to Amend the Boating Safety Regulations to Create a Slow-No-Wake Zone on Lake Waramaug, Warren

In accordance with section 4-168 of the Connecticut General Statutes (CGS) the Commissioner of the Department of Energy and Environmental Protection (DEEP) hereby gives notice of his intent to add Section 15-121-B15p to the Regulations of the Connecticut State Agencies to create a slow-no-wake zone in the cove of Lake Waramaug adjacent to Lake Waramaug State Park. This amendment is being proposed under the authority granted to the Commissioner in CGS Section 15-121(b)(11) and pursuant to a vote of the town legislative body and petition of ten or more persons requesting the subject action under CGS Section 15-136.

EXHIBIT 57 A

Description: Under this proposal, a Slow-No-Wake zone will be implemented on Lake Waramaug in the northern portion of the cove adjacent to Lake Waramaug State Park, for the purpose of minimizing user conflicts by controlling boat wakes from powerboats in an area frequented by bathers and occupants of manually-propelled vessels.

The proposal of this amendment follows the May 16, 2013 vote of the Town of Warren legislative body and petition of ten or more persons pursuant to CGS Section 15-136(b)(2). There is no anticipated fiscal impact to the municipality or to the State. There is no anticipated adverse impact to small business.

Written Comments: All interested persons are invited to submit comments regarding the proposed amendment to the DEEP-Marine Headquarters, 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 between 8:00 AM on the November 1, 2013 and 4:00 PM on November 22, 2013 (***see note***). Comments may be submitted by post, facsimile to (860) 434-3501 or by electronic mail to timothy.delgado@ct.gov. Only those written comments containing the name and address of the commenter will be considered.

Public Hearing: 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
November 8, 2013
6:30 PM
Warren Community Center
7 Sackett Hill Road
Warren, CT

Copies of the proposed amendment, the associated fiscal and small business impact statements, and statement required under 22a-6(h) are available for public inspection during normal business hours and may be obtained from Timothy Delgado at the DEEP Marine Headquarters located at 333 Ferry Road, Old Lyme, Connecticut, 06371. The same documents will be posted on DEEP's website.

DEEP is an Affirmative Action/Equal Opportunity Employer that is committed to complying with the requirements of the Americans with Disabilities Act. Any person with a disability who may need a communication aid or service may contact DEEP's ADA Coordinator at 860-424-3194 or at deep.hrmed@ct.gov. Any person needing a hearing accommodation may call the State of Connecticut relay number - 711. Any person with limited proficiency in English, who may need information in another language, may contact DEEP's Title VI Coordinator at 860-424-3035 or at deep.aaoffice@ct.gov. ADA or Title VI discrimination complaints may be filed with DEEP's EEO Manager at 860-424-3035 or at deep.aaoffice@ct.gov. Requests for accommodations must be made at least two weeks prior to any agency hearing, program or event.

EXHIBIT 57B

/s/ Deputy Commissioner Susan Whalen for Daniel C. Esty
September 13, 2013

Daniel C. Esty
Date
Commissioner

Note: Comment period extended to October 1, 2013 to November 22, 2013

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EXHIBIT 57 G

Delgado, Timothy

From: Hackney, Robert [robert.hackney@feim.com]
Sent: Friday, November 22, 2013 3:34 PM
To: Delgado, Timothy
Subject: Slow No Wake Zone Proposal for Lake Waramaug

Dear Mr. Delgado,

I am a resident of Washington who has been blessed to live on the shores of Lake Waramaug for the past 29 years. My wife and I have never had a gasoline powered boat; we've used canoes and kayaks, and now we enjoy a battery powered electric boat. During the season we typically have the electric boat out daily, often for a full tour of the lake. In all the time we've been living beside and boating on Lake Waramaug we've never seen an instance where a speeding powerboat threatened kayak or canoe traffic in the proposed no wake/slow zone near the state park. Back in the early 1980's there were instances of large aggressive powerboats threatening all other traffic on the lake; that nuisance was resolved when the only public boat launch on the lake was shut down. Since access to the lake has been controlled the lake has been a very safe boating environment, a fact we attribute largely to the fact that most of the traffic on the lake is from residents of the lake, and one is naturally polite to one's neighbors.

We're aware that many good intentioned people believe that restricting access to the area near the state park is a good idea; but we've yet to hear a reason for that other than 'just because.' We also worry about the unintended consequences of concentrating boat traffic in other parts of the lake. Unless there is some data produced that suggests the existence of a true problem in this area of the lake we believe this is really a case of a solution looking for a problem. The lake has suffered from the implementation of programs born in good intentions but without data or consideration of the unintended consequences in the past. The population of alewives in the lake was originally introduced to attempt to control the algae blooms; then trout had to be introduced to control the alewives, which decimated native populations and fouled the lake and its shorelines with occasional mass deaths. Finally in-lake Layer Aeration systems did the job of controlling the algae blooms, but the alewives remain a reminder of the difficulties of predicting the results of good ideas undertaken without strong data enforcing the need for those policies.

I respectively suggest that the Department deny the request to implement a no wake zone; if evidence that such a zone is truly needed and would in fact be beneficial to lake safety is developed and introduced at a later time then the Department can act then. In the meantime delaying or denying the requested zone would allow time for such evidence to be developed, if it can be.

Thank you for your consideration and your thoughtful understanding of all sides of this proposal.

Best regards,

Robert H. Hackney, Jr.
125 West Shore Road
New Preston, CT 06777

EXHIBIT 58 A

(860)868-2664
Robert.hackney@feim.com

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EXHIBIT 58 B

Delgado, Timothy

From: BRIAN ZIPP [brianzipp@gmail.com]
Sent: Thursday, December 05, 2013 9:55 AM
To: Delgado, Timothy
Subject: Lake Waramaug State Park: Proposed Slow-No-Wake Zone
Attachments: DEEP.Delgado.pdf

Mr. Delgado,

I am attaching a copy of my written comments regarding the proposed amendment to the Regulations of the Connecticut State Agencies to create a slow-no-wake zone in the cove of Lake Waramaug.

I apologize for the lateness in my reply, and hope that you will consider my submission as you consider the input from the Lake Waramaug residents.

Kind regards,

Brian Zipp

EXHIBIT S9A

Brian R. Zipp
80 North Shore Rd.
Warren, CT 06777

December 4, 2013

Timothy Delgado
DEEP — Marine
Headquarters Boating
Division
P.O. Box 280
Old Lyme, CT 06371

Dear Mr. Delgado —

I am writing to you regarding the "Slow-No-Wake" zone being proposed for the northern portion of Lake Waramaug adjacent to the state park. I have been a homeowner on the lake since 1998. My wife, Martha, and I as well as our three children (ages 20, 12, and 7) are active water skiers, swimmers, fisherman and kayakers in and on the waters of Lake Waramaug. We support ongoing efforts for to improve boater safety generally, such as a required boater safety license, active police surveillance, as well as limitations on the number of boats permitted on Lake Waramaug. We are also active supporters of the various state- and privately funded entities and initiatives that promote and preserve the Lake Waramaug watershed.

We are strongly opposed to the adoption of the proposed "Slow-No-Wake" zone and urge the DEEP to reject the proposal as presented. There is little evidence that would substantiate the need for such a new measure, and a long list of reasons why this proposal is misguided. *First,* Lake Waramaug has historically enjoyed an excellent boater safety record; *Second,* while the proposal will create a protected "special interest" class of users in a specific part of Lake Waramaug, it would also have the effect of compromising the rights of others; *Third,* nearby the proposed "Slow-No-Wake" zone there is already a "buffer" area of the watershed that runs the length of the State Park shoreline nearby the proposed "Slow-No-Wake" zone which has established buoy markers designating slow wake zone; and, *Finally,* we believe that this proposal may actually ***increase*** the risk of serious incident elsewhere on the lake by concentrating existing boating activity in a smaller area of the lake.

EXHIBIT 59 B

The stated purpose of the proposed "Slow-No-Wake" zone is "for the purpose of minimizing user conflicts by controlling boat wakes from powerboats in an area frequented by bathers and occupants of manually-propelled vessels." The state park represents only one of many such areas on the lake. There are at least two town beaches and two private beaches where swimmers and users of personal watercraft gather in large numbers at times, including one club just south of the proposed restricted area. Are we soon to prohibit motorboats from those waters as well? Should users of personal watercraft be limited to using only "slow-no-wake" zones? That would be an absurdity that would certainly diminish the lake experience for all users.

Watersport enthusiasts have varied interests and needs for enjoying the resources of Lake Waramaug, and while some of these activities are compatible, many of them are frequently not. For example, the calm waters at early morning and sunset on the lake are ideal for swimming, rowing, kayaking, and fishing; and it has been my observation that the motor boaters typically focus their usage to later hours of the day.

Lake Waramaug is a shared resource that should remain open to all approved vessels operating appropriately under established laws and regulations. Unfortunately, boating of any type and lake use generally exposes one to inherent risks. But these risks are lake-wide and not limited to any single area. Users of personal water craft, especially inexperienced users, must also share in the duty and responsibility for safe boating. As you know, Connecticut offers numerous boater safety classes, including classes specifically addressing the operation of kayaks and canoes; some of which are available under DEEP's own website. These are not currently required courses, but perhaps they should be considered as requirements, or at least more actively encouraged for all personal watercraft users -- especially less-experienced users and children who are occasional visitors to the lake.

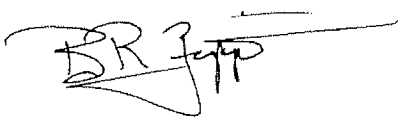
We appreciate and support the efforts of the various lake-focused entities and law enforcement professionals that have helped make Lake Waramaug a beautiful, safe, and enjoyable lake for my family and all lake users. Clearly, we are all well served by sensible initiatives for greater safety on the lake and share in the responsibility to ensure the welfare of all boaters and other users of the

EXHIBIT 59 C

lake. However, we can't support this specific proposal due to the increased disturbance and risk of injury it will bring to the lake waters near our house and other areas of the lake beyond the waters of the state park where our children and others swim, kayak, canoe, etc. We find little evidence to substantiate the need to "carve out" a specific area of Lake Waramaug for any such limitation that would infringe on the rights of ***all*** residents to use the lake for their specific boating activities.

If continued safety for ***all*** users of the lake is the aim (and it should be), it should be achieved through continued vigilance and enforcement of existing laws and regulations, or initiatives which are necessary, balanced, and fair to ***all*** lake users and property owners, and effective in adding to the safety of ***all*** lake users. The proposed "Slow-No-Wake" zone would accomplish none of these goals.

Sincerely,



Brian R. Zipp

EXHIBIT 59 D

Delgado, Timothy

From: ROGER PARKHOUSE [parkie51@optonline.net]
Sent: Saturday, December 14, 2013 5:46 PM
To: Delgado, Timothy
Subject: Lake Waramaug Speed Limits

I am a Warren resident who uses Lake Waramaug for pleasure boating and fishing. I have a 19' outboard boat. We enjoy taking our children and grand children for rides around the lake. It is not a very large lake and putting a speed limit/no wake zone on any part of the lake would only make our rides that much shorter. I have boated in the section of the lake by the state park many times and have never encountered boat traffic. There are not very many power boats on the lake to begin with.
We have enough regulations now. I therefore oppose the proposed regulation to establish a no wake zone. Thank you ~

Roger & Mary Parkhouse
51 Rabbit Hill Road
Warren, CT 06777

EXHIBIT 60

Delgado, Timothy

From: Eric Madoff [emadoff@gmail.com]
Sent: Thursday, December 19, 2013 1:55 PM
To: Delgado, Timothy
Subject: Lake Waramaug Slow-No-Wake Proposal

Dear Sir,

I write in regards to the proposed Slow-No-Wake proposal for Lake Waramaug. I believe that the proposal overreaches; it is unnecessary and potentially dangerous.

1) The proposed size of the slow-no-wake zone is too large and will push more boat traffic into other areas of the lake, potentially causing overcrowding and hazardous conditions elsewhere on the lake.
2) Lake Waramaug has been a safe environment for swimmers, boaters, sailors, and kayakers for many years. There have been no incidents that I'm aware of that would call for an expanded slow-no-wake zone.
3) There is a no wake zone near the state park already, which provides a safe area near shore for swimmers, kayakers, and other users of the beach there.

My family and I live at the lake. We boat, canoe, fish, swim, row, paddleboard, sail, and otherwise enjoy the lake frequently. I am aware of no reason why this expanded slow-no-wake zone is necessary. Lake Waramaug is not a large lake to begin with. With the greatly enlarged area of the slow-no-wake zone under this proposal, the current boating traffic of the lake will be squeezed into a smaller area of the lake. I believe that the balance of safety in these circumstances argues for keeping the existing no-wake zone and not dramatically increasing its size, as proposed in this regulation.

Sincerely,
Eric Madoff
241 West Shore Road
New Preston, CT 06777

EXHIBIT 61

Delgado, Timothy

From: Peter Haddad [HADDAD@lenovo.com]
Sent: Saturday, January 04, 2014 11:13 AM
To: Delgado, Timothy; mark.lyon@washingtonct.org; rob.kane@cga.ct.gov; andrew.larson@cga.ct.gov; arthur.oneill@housegop.ct.gov
Subject: Slow - No - Wake Zone on Lake Waramaug

To:

DEEP:
Timothy Delgado

Washington Town and State Officials:
Mark Lyon, First Selectman
Rob Kane, Senator District 32
Andrew Larson, Legislative Aide to Sen. Kane
Arthur O'Neill, Representative District 69

My wife Annie and I live at 155 West Shore Road in Washington, CT on beautiful Lake Waramaug. I (Peter) have been coming here and using the lake since my childhood going back to 1970. The lake has come a "long way" since the over-crowded boating situation that was prevalent in those days, and we have been supporters of the innovative initiatives to protect the lake quality. We have two young children who are in our waters literally every day of the summer in one fashion or another (via swimming, canoe, motor boating, etc). Their safety and those of others enjoying the lake is of paramount importance to us. While the proposed no-wake zone may provide some additional safety to users of the waters in the state park area, we are concerned that this proposed restriction from motor boat usage on this part of the lake will result in greater density of motor boat usage elsewhere on the lake, creating a more dangerous situation. The State Park is only one of many areas where children and adults swim, kayak and canoe.

We are not aware of any significant incidents with kayakers/canoes or swimmers near the State Park or elsewhere on the lake in recent years. We believe this is a product of effective policing of lake usage and existing regulations by the Washington Town Police department, and also responsible boating by both residents and visitors to the lake. While safety must always be paramount, this proposed no-wake zone seems to be a solution in search of a problem.

Thank you for your consideration of our views.

Peter and Annie Haddad
155 West Shore Road
New Preston, CT 06777

EXHIBIT 62, 63

Delgado, Timothy

From: Lisa Roumel [lisa.roumell@gmail.com]
Sent: Friday, January 03, 2014 6:49 PM
To: Delgado, Timothy
Subject: Lake Waramaug Slow No Wake Zone

Dear Sir:

We are writing as home owners and tax payers on Lake Waramaug (1 Arrowpoint Rd. in Warren) to express our concerns about the proposed Lake Waramaug Slow No Wake Zone. We are concerned that the new zone will create more traffic and congestion in the other parts of the Lake, and, in doing so, will actually decrease the water craft safety on the Lake, as compared to current safety conditions. There is already a slow zone by the town beach and within a certain distance from the shore. And, boats are required to stay 100 feet apart from each other for safety on the Lake. These rules should suffice, as the Lake is relatively small. By adding the new proposed slow wake zone, additionally, the actually area where boaters can water ski, tube and feel the wind, will become too small in our opinion, causing congestion and with it a greater risk of accidents in the rest of the Lake. Additionally, Having the part of the Lake that abuts the West side of Arrowpoint to turn around near when towing a tuber or a water skier allows one a less congested part of the Lake to make a turn in. It is therefore safer to be able to make turns in this part of the Lake, still plenty of safe distance away from the State Park swimmers or kayakers, than in the main and most congested part of the Lake. The Slow No Wake Zone proposal would limit our ability to turn in this area and therefore also our ability to safely boat, tube and water ski on the Lake, in our opinion.

To our knowledge, in the five years we have been on the Lake, there has never been an accident due to a boat going too fast in the area of the proposed Slow No Wake Zone. Why then make this change and create the possibility of producing a real safety problem in the rest of the Lake by necessitating a higher concentration of skiers, tubers and boaters elsewhere. The only safety concern we have observed on the Lake is that of jet skiers, often who launch at the State Park, coming way too close to swimmers, boaters, kayakers, tubers and water skiers and traveling too fast on the Lake. Regulations aimed at jet ski use on the Lake seems a far better way to ensure better Lake safety.

Thank you,
Lisa Roumell and Mark Rosenthal

Sent from my iPhone

EXHIBIT 64, 65

Delgado, Timothy

From: Richard Aube [richardaube@mac.com]
Sent: Monday, January 06, 2014 8:34 AM
To: Delgado, Timothy
Cc: cfrisbie@warrentct.org; clark.chapin@cga.ct.gov; craig.miner@housegop.ct.gov
Subject: Proposed "Slow- No-Wake Zone on Lake Waramaug"
Attachments: waramaug letter.docx

Please find attached my letter regarding the Proposed Slow - No Wake Zone on Lake Waramaug

Thank you for your consideration

Rich Aube
373 Lake Road
New Preston, CT 06777

EXHIBIT 66 A

Richard Aube
373 Lake Road
New Preston, CT 06777

January 2, 2014

Timothy Delgado
DEEP – Marine Headquarters
Boating Division
P.O. Box 280
Old Lyme, CT 06371

Dear Mr. Delgado –

I am writing to you regarding the "Slow-No-Wake" zone being proposed for the northern portion of Lake Waramaug adjacent to the state park. I have been a homeowner on the lake since 2000, and I was a renter prior to owning since 1996. My wife and I and our four young children (ages 11-13) have been enjoying the lake and its many activities for over a decade now, and consider Lake Waramaug to be one of the most special places in the country.

My wife and I are strongly opposed to the adoption of the proposed "Slow-No-Wake" zone. In my opinion, we do not currently have a safety problem on Lake Waramaug. Of course, I have witnessed examples of careless boating (both motor boating as well as careless kayaking and canoeing), but I do not believe that the evidence would support the kind of changes suggested by this proposal. In fact, I worry that a proposal like this would actually create problems elsewhere. Boater density on a lake is a zero sum game – if you reduce it on one end of the lake, you increase it everywhere else, when you make it safer for some, you make it more dangerous for others. I see neither the need for this change nor the fairness in the proposal when you consider those of us who live elsewhere on the lake.

Finally, Lake Waramaug already has many laws and regulations in effect that have contributed to the excellent record of safety and health of the lake . With respect to rules and regulations, I wouldn't be surprised to find out that Lake Waramaug is already the most regulated lake in Connecticut. Continued enforcement of these laws and regulations by our lake's highly professional and effective law enforcement officers will continue to keep the lake safe and healthy for all who have come to enjoy it.

Thank you for your careful consideration of this issue.

Sincerely,

Richard A. Aube

EXHIBIT 66 B

Delgado, Timothy

From: Tom.Peer@rbs.com
Sent: Monday, January 06, 2014 12:14 PM
To: Delgado, Timothy
Subject: Proposed Slow-No-Wake Zone on Lake Waramaug, Town of Warren

Dear Timothy,

I am registering my concern regarding the no wake zone proposal and the way it has been put forth. Many residents of the Lake and surrounding towns (including myself) have not been notified or made aware of the proposal. I also understand that because this is a proposal being put forth by Warren, there has not been any formal notice or hearings in Kent or Washington despite the impact on residents of those towns.

What is the root cause of the slow-no-wake wake zone restriction (i.e. why has the issue been raised)?
Have there been incidents, accidents, and safety issues?

I hold the view the proponents of the wake zone restriction have not established a need for this proposed restricted zone.
There are sufficient and effective laws and regulations in place.
I am of the view there is a strong safety track record under existing laws and regulations and within the existing Lake Patrol framework by the local police.

Tom Peer
362 Lake Drive
New Preston, CT 06777

day telephone 203-897-3762

****
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EXHIBIT 67 A

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****

EXHIBIT 67 B

Delgado, Timothy

From: Doug Hamilton [doug@hamiltoninvestment.com]
Sent: Monday, October 14, 2013 10:08 AM
To: Delgado, Timothy
Cc: dmcquade@murthalaw.com; tajmcgowan@yahoo.com; John Lancaster; lindapaulfrank@aol.com; lindapaulfrank@aol.com
Subject: Lake Waramaug proposed regulation

Dear Mr. Delgado

I am writing to you regarding the no wake zone at the Lake Waramaug State Park. I have been a resident of the lake community since 1996 and am very familiar with the lake, its activities, and more particularly: boat traffic, number of boats, and waterfront activity at the state park. This knowledge is not only as an active user of the lake but in the late 90's I was the author (along with Dave McQuade) of the Heritage Lake Act, which as you know, is the designation given to Lake Waramaug. At that time, the state was planning to construct a boat launch at the park, which would have had a significant negative effect upon the lake. Fortunately the state legislature agreed, passing the proposal into law and the governor named Lake Waramaug Connecticut's first Heritage Lake.

I have reviewed the map of the prosed "no wake zone" and in addition have gone to the state park both on foot and in my boat to understand the proposed boundary line. While I agree with the concept, it is my informed opinion that the zone you propose is too large. As I understand it, the proposed southern line of the zone is 1750 feet from the northern shore of the lake at the state park. This area goes well beyond the buoyed swimming area as well as the location of the canoe rental area where canoes and kayaks are launched. If the line were reduced to 1250 feet these areas would still be protected, accomplishing your objective. It would also:

- Create a larger area for water skiers and tubers to turn their boats around reducing the concentration of activity near the Lake Waramaug Country Club which has a concentration of power boat, canoes and kayaks, and sailboats.
- Those campers who are more experienced actually like the boat wakes and it has been my experience that they wait for me to pass so that they can go through my wake which they apparently enjoy. By reducing the no wake line they can stay near the park and still enjoy an "open water" experience.

In closing I feel compelled to point out that there has not been one incident involving a motorboat and a "people powered" boat of which I am aware. While it is true that there are more boats on the lake than even five years ago, it is not motorboats, but rather "people powered" boats that account for the additional activity. Frankly it is striking how uncongested the lake is. The July 4th weekend is likely the height of summer boating activity. It has been my observation that at any one time during this weekend you would be hard pressed to find more than

EXHIBIT 68 A

six motorboats pulling tubes or skiers or traveling at wake creating speeds. While I have great respect for the lake police patrol and their concern that an accident "may happen", it strikes me that the proposal (as so eloquently stated by another lake resident) is a solution looking for a problem. As stated above, I support the idea of a "no wake" zone, but encourage you to reduce its size for the benefit of all lake users.

Thank you,
Douglas Hamilton
47 Tanner Hill Rd.
Warren Ct.

EXHIBIT 68 B

Delgado, Timothy

From: Elaine Mullen [Mullene@nyspi.columbia.edu]
Sent: Monday, January 06, 2014 2:49 PM
To: Delgado, Timothy
Subject: FW: Proposed Slow-No-Wake Zone on Lake Waramaug, Town of Warren

Hello Timothy,
I am a long time resident of Lake Waramaug and I would like to add my thoughts for the proposed No Wake Zone issue that is on the table.
Its my understanding that only 1 of the 3 towns is proposing this restriction and so the other 2 towns are not even having public comment even though it directly impacts all three towns. I think that is a mistake.
I do not think that a complete restriction is necessary. I do believe that kayakers, swimmers canoe-ers etc should be able to have some quiet waters to enjoy. I enjoy all of those sports and have for over 50 years. However, it turns out that that particular stretch of water is the best one of the whole lake to water-ski on which my family also enjoys. It is the longest stretch of protected uninterrupted space. Should not the people who like to water ski have some rights too?
The people who really are passionate about waterskiing actually only use that stretch early in the morning or late in the afternoon/evening. The other times, it gets too crowded with State Park folks and day trippers. And by the way, the State Park people bring ALOT of motor boats in themselves.
The other issue is that it is only really crowded on the weekends.
So while I do not think there should be any restriction, perhaps as a compromise, the no wake zone could be on Saturdays and Sundays in July and August, for example.
I also believe that there are certain rules already in place which if enforced, might solve the problem to begin with and keep everyone happy.
Thank you for extending the public comment period and thank you for all your work on this.

Elaine Mullen
358 Lake Rd.
New Preston, Ct. 06777

EXHIBIT 69

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APPENDIX E
FISCAL IMPACT INQUIRY

LETTERS TO THE TOWNS OF WASHINGTON, WARREN AND KENT
RESPONSE FROM THE TOWN OF WARREN

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Connecticut Department of
ENERGY &
ENVIRONMENTAL
PROTECTION

Boating Division

333 Ferry Road • Old Lyme, CT 06371 www.ct.gov/deep Affirmative Action/Equal Opportunity Employer

21 November 2013

Craig Nelson, First Selectman
TOWN HALL
50 CEMETERY RD
WARREN, CT 06754

RE: Fiscal Impact of Proposed Lake Waramaug Slow-No-Wake Zone

Dear First Selectman Nelson:

As you may know, the Department of Energy and Environmental Protection is currently proposing to amend the Regulations of the Connecticut State Agencies to create slow-no-wake zone on Lake Waramaug in the northern tip of the cove that fronts Lake Waramaug State Park. Pursuant to General Statute Section 4-168, the proposal was noticed on 1 October 2013 on the website of the Secretary of the State. The same Notice of Intent was posted on the DEEP website.

In addition to posting the requisite Notice of Intent on the DEEP website, DEEP also posted a draft fiscal impact note in which DEEP projected no anticipated fiscal impact to the local governments of surrounding communities. However, citizens commenting on the matter have expressed concern that their property values may decrease if the proposed measure is adopted. If so this might, in turn, result in a decrease in tax revenue (a fiscal impact) that DEEP did not include in its fiscal note.

DEEP therefore respectfully requests that you provide DEEP with a statement on behalf of your municipality as to whether or not you would anticipate a negative fiscal impact of any kind if the proposed regulation were to be adopted, and if so, an estimate of that impact.

Please note that under General Statute Section 4-168, "The governing body of any municipality, if requested, shall provide the agency, within twenty working days, with any information that may be necessary for analysis in preparation of such fiscal note."

A map of the proposed Slow-No-Wake zone that includes text of the proposed regulation is attached. I can be reached at (860) 447-4354 if you have any questions. The DEEP thanks you in advance for your attention to this matter.

Sincerely,

Timothy F. Delgado
Environmental Analyst

7012 1010 0001 9725 9517

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NOV 2013

Sent To: First Selectman Craig Nelson
Street, Apt. No.; or PO Box No.: Town Hall / 50 Cemetery Rd
City, State, ZIP+4: Warren, CT 06754

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First Selectman Craig Nelson
Town Hall
50 Cemetery Rd
Warren, CT 06754

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X ☑ Agent ☑ Addressee

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Connecticut Department of
ENERGY &
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Boating Division

333 Ferry Road • Old Lyme, CT 06371 www.ct.gov/deep Affirmative Action/Equal Opportunity Employer

21 November 2013

Mr. Mark E. Lyon, First Selectman
Town of Washington
P.O. Box 383
Washington Depot, CT 06794

RE: Fiscal Impact of Proposed Lake Waramaug Slow-No-Wake Zone

Dear First Selectman Lyon:

As you may know, the Department of Energy and Environmental Protection is currently proposing to amend the Regulations of the Connecticut State Agencies to create slow-no-wake zone on Lake Waramaug in the northern tip of the cove that fronts Lake Waramaug State Park. Pursuant to General Statute Section 4-168, the proposal was noticed on 1 October 2013 on the website of the Secretary of the State. The same Notice of Intent was posted on the DEEP website.

In addition to posting the requisite Notice of Intent on the DEEP website, DEEP also posted a draft fiscal impact note in which DEEP projected no anticipated fiscal impact to the local governments of surrounding communities. However, citizens commenting on the matter have expressed concern that their property values may decrease if the proposed measure is adopted. If so this might, in turn, result in a decrease in tax revenue (a fiscal impact) that DEEP did not include in its fiscal note.

DEEP therefore respectfully requests that you provide DEEP with a statement on behalf of your municipality as to whether or not you would anticipate a negative fiscal impact of any kind if the proposed regulation were to be adopted, and if so, an estimate of that impact.

Please note that under General Statute Section 4-168, "The governing body of any municipality, if requested, shall provide the agency, within twenty working days, with any information that may be necessary for analysis in preparation of such fiscal note."

A map of the proposed Slow-No-Wake zone that includes text of the proposed regulation is attached. I can be reached at (860) 447-4354 if you have any questions. The DEEP thanks you in advance for your attention to this matter.

Sincerely,

Timothy F. Delgado
Environmental Analyst

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Total Postage & Fees	$ 6.[illegible]

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NOV 2015

7012 1010 0001 9725 9524

Sent To: Mark Lyon
Street, Apt. No.; or PO Box No.: PO Box 383
City, State, ZIP+4: Washington Depot CT 06794

PS Form 3800, August 2006 — See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

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1. Article Addressed to:

Mr Mark Lyon
First Selectman
Town of Washington
P.O. Box 383
Washington Depot, CT
06794

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Amber Lamothe ☐ Agent ☐ Addressee

B. Received by (Printed Name): Amber Lamothe
C. Date of Delivery: 11/25/13

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7012 1010 0001 9725 9524

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

Connecticut Department of
ENERGY &
ENVIRONMENTAL
PROTECTION

Boating Division

333 Ferry Road • Old Lyme, CT 06371 www.ct.gov/deep Affirmative Action/Equal Opportunity Employer

21 November 2013

Bruce K. Adams, First Selectman
Town of Kent
PO Box 678
Kent, CT 06757

RE: Fiscal Impact of Proposed Lake Waramaug Slow-No-Wake Zone

Dear First Selectman Adams:

As you may know, the Department of Energy and Environmental Protection is currently proposing to amend the Regulations of the Connecticut State Agencies to create slow-no-wake zone on Lake Waramaug in the northern tip of the cove that fronts Lake Waramaug State Park. Pursuant to General Statute Section 4-168, the proposal was noticed on 1 October 2013 on the website of the Secretary of the State. The same Notice of Intent was posted on the DEEP website.

In addition to posting the requisite Notice of Intent on the DEEP website, DEEP also posted a draft fiscal impact note in which DEEP projected no anticipated fiscal impact to the local governments of surrounding communities. However, citizens commenting on the matter have expressed concern that their property values may decrease if the proposed measure is adopted. If so this might, in turn, result in a decrease in tax revenue (a fiscal impact) that DEEP did not include in its fiscal note.

DEEP therefore respectfully requests that you provide DEEP with a statement on behalf of your municipality as to whether or not you would anticipate a negative fiscal impact of any kind if the proposed regulation were to be adopted, and if so, an estimate of that impact.

Please note that under General Statute Section 4-168, "The governing body of any municipality, if requested, shall provide the agency, within twenty working days, with any information that may be necessary for analysis in preparation of such fiscal note."

A map of the proposed Slow-No-Wake zone that includes text of the proposed regulation is attached. I can be reached at (860) 447-4354 if you have any questions. The DEEP thanks you in advance for your attention to this matter.

Sincerely,

Timothy F. Delgado
Environmental Analyst

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 6.70

Postmark Here NOV 2013

7012 1010 0001 9725 9531

Sent To: Bruce K Adams / Kent
Street, Apt. No.; or PO Box No.: PO Box 678
City, State, ZIP+4: Kent, CT 06757

See Reverse for Instructions

PS Form 3800, August 2006

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Bruce K Adams
First Selectman
Town of Kent
PO Box 678
Kent, CT 06757

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Bruce Adams ☐ Agent ☐ Addressee

B. Received by (Printed Name) Bruce Adams C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

KENT CT 06757 NOV 13 2013 USPS

3. Service Type
☑ Certified Mail ☐ Express Mail
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☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7012 1010 0001 9725 9531

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

Town of Warren

Selectman's Office
50 Cemetery Rd
Warren CT 06754
860-868-7881

RECEIVED
DEC - 9 2013
DEPT. OF ENVIRONMENTAL PROTECTION
BOATING DIVISION

December 5, 2013

Timothy Delgado
DEEP Boating Division
33 Ferry Road
Old Lyme, Ct. 06371

Dear Timothy Delgado:

To the best of my knowledge I can see no fiscal impact on the town of Warren from the proposed regulation of a slow-no-wake zone in the cove adjacent to Lake Waramaug State Park as measured 1750 feet from the northernmost point of the cove to a midpoint between the shores and thence defined as a line running east to west to both shores.

Regards,

Craig B. Nelson
First Selectman

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APPENDIX F
FINAL REGULATORY PROPOSAL

FINAL REGULATION / STATEMENT OF PURPOSE
MAP
FISCAL ESTIMATE
SMALL BUSINESS IMPACT STATEMENT

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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

NAME OF AGENCY

Department of Energy and Environmental Protection

Concerning

SUBJECT MATTER OF REGULATION

Lake Waramaug Slow-No-Wake Zone

Section 15-121-B15p of the Regulations of the Connecticut State Agencies is added as follows:

(NEW) No person shall operate a motorboat on Lake Waramaug in excess of slow-no-wake from May 15 through September 15, inclusive, in the cove adjacent to Lake Waramaug State Park north of a line that is perpendicular to a line bearing 145 degrees and passing through a point that is located 1,300 feet from the northernmost reach of the cove and midway between the shores of the cove.

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

Statement of Purpose

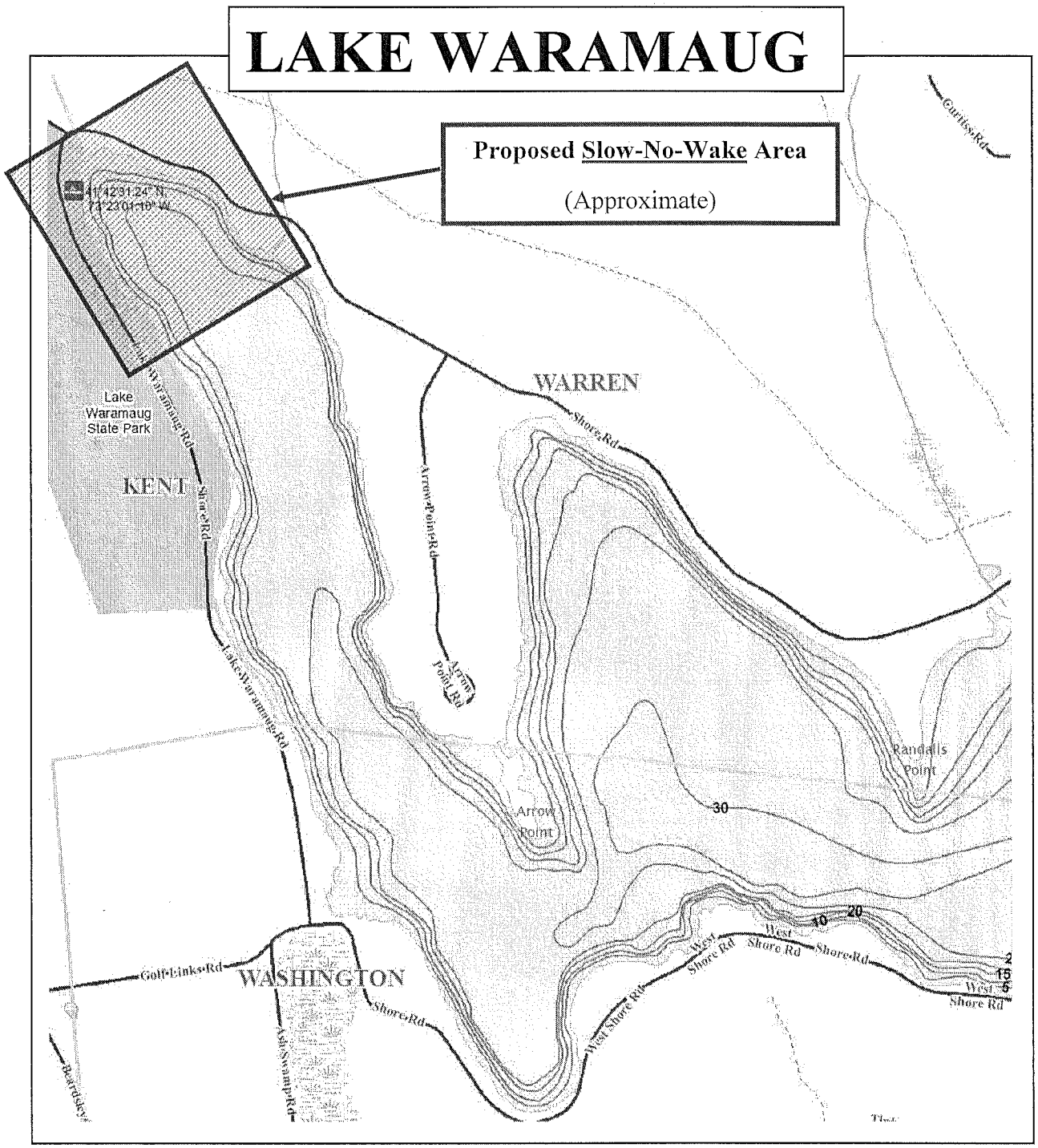
Pursuant to CGS Section 4-170(b)(3), "Each proposed regulation shall have a statement of its purpose following the final section of the regulation." Enter the statement here.

Under this proposal, the boating safety regulations will be amended to add a Slow-No-Wake zone on Lake Waramaug in the northern portion of the cove adjacent to Lake Waramaug State Park from mid-May to mid-September, for the purpose of minimizing user conflicts by controlling boat wakes from powerboats in an area frequented by bathers and occupants of manually-propelled vessels during the time of year when user conflict is most likely to occur. The term "Slow-No-Wake" is defined in Section 15-121-A1 of the Regulations of the Connecticut State Agencies.

The proposal of this amendment as written is compelled by the 16 May 2013 vote of the Town of Warren legislative body and petition of ten or more persons, as prescribed under Section 15-136(b)(2).

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

This proposal is offered under the authority granted to the Commissioner in Section 15-121(b)(11) of the General Statutes.



Lake Waramaug Proposed Regulation:

(NEW) No person shall operate a motorboat on Lake Waramaug in excess of slow-no-wake from May 15 through September 15, inclusive, in the cove adjacent to Lake Waramaug State Park north of a line that is perpendicular to a line bearing 145 degrees and passing through a point that is located 1,300 feet from the northernmost reach of the cove and midway between the shores of the cove.

"Slow-No-Wake**" means that a vessel shall not produce more than a minimum wake and shall not attain speeds greater than 6 miles per hour over the ground unless a higher minimum speed is necessary to maintain steerageway when traveling with a strong current. In no case shall the wake produced by the vessel be such that it creates a danger of injury to persons, or will damage vessels or structures of any kind. (RCSA Sec. 15-121-A1)*

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AGENCY FISCAL ESTIMATE OF PROPOSED REGULATION

Agency Submitting Regulation: Department of Energy and Environmental Protection **Date:** 1 May 2014

Subject Matter of Regulation: Boating Safety – Lake Waramaug Slow-No-Wake Zone

Regulation Section No.: Adding section 15-121-B15p

Statutory Authority: CGS Section 15-121(b)(11), CGS Section 15-136(b)(2)

Other Agencies Effected: None

Effective Date Used In Cost Estimate: 1 May 2014

Estimate Prepared By: Eleanor C. Mariani, Director, Boating Division **Telephone No.:** 860-434-8638

ESTIMATE OF COST OR REVENUE IMPACT OF PROPOSED REGULATION

Agency: Energy and Environmental Protection **Fund Affected:** None

	First Year	Second Year	Full Operation
Number of Positions	0	0	0
Personal Services	0	0	0
Other Expenses	0	0	0
Equipment	0	0	0
Grants	0	0	0
Total State Cost	0	0	0
Estimated Revenue Gain	0	0	0
Total Net State Cost	0	0	0

Explanation of State Impact of Regulation:
No fiscal impact to the State is anticipated.

Explanation of Municipal Impact of Regulation:
No fiscal impact to the municipality is anticipated.

Explanation of Small Business Impact of Regulation:
No adverse impact to small business is anticipated.

Is a regulatory flexibility analysis required pursuant to C.G.S. 4-168a?
No regulatory flexibility analysis is required.

SMALL BUSINESS IMPACT STATEMENT

1 May 2014

Subject matter of Regulation:

Lake Waramaug Slow-No-Wake Zone

Addition of RCSA 15-121-B15p (new)
Authority by CGS Section 15-121(b)(11) and Section 15-136(b)(2)
Rev. Date 1 May 2014

State Agency submitting proposed regulations:

Department of Energy and Environmental Protection
Boating Division
P.O. Box 280
Old Lyme, CT 06371

Eleanor C. Mariani, Boating Director (860) 434-8638
Robert LaFrance, Legislative Liaison, (860) 424-3401

Prior to adopting a new section or amendment to a regulation, Section 4-168a of the Connecticut General Statutes (C.G.S.) requires that each state agency consider the effect of such action on small businesses as defined in C.G.S. Section 4-168a. When such regulatory action may have an adverse effect on small businesses, C.G.S. Section 4-168a directs the agency to consider regulatory requirements that will minimize the adverse impacts on small businesses if the addition of such requirements (1) will not interfere with the intended objectives of the regulatory action and (2) will allow the new section or amendment to remain consistent with public health, safety and welfare.

Small Business Impact Statement:

In accordance with C.G.S. Section 4-168a, staff analyzed the effect on small businesses of the proposed regulations and determined the following:

The regulatory action will not have an effect on small businesses.

Because the proposed regulation will have no effect on small business, the Department of Economic and Community Development (DECD) is not required to be notified of the proposed action and no regulatory flexibility analysis is proffered. An agency fiscal estimate has been completed.