



STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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PHONE: 860-424-3001



Gina McCarthy  
Commissioner

March 13, 2008

Mr. Gilbert G. Grimm  
First Selectman  
Town of Voluntown  
P. O. Box 96  
Voluntown, Connecticut 06384

Re: Beach Pond Drawdown

Dear Mr. Grimm:

I am responding to your September 5, 2007 letter regarding the establishment of a drawdown schedule for Beach Pond. This response was delayed until completion of this winter's 2-foot drawdown.

It appears that the oversight provided by the Town of activities that shoreline residents undertook during the recent drawdown was helpful in avoiding any new encroachment into water rights held by the state. Thank you for your recent efforts, and this practice should continue. Also, it appears that the 2-foot depth that was approved and implemented was sufficient to address the basic needs of shoreline residents, while minimizing adverse impacts to aquatic resources.

Based on the above information and the historical frequency and depths of Beach Pond drawdowns, I am proposing a drawdown schedule that would allow a 2-foot drawdown every third year, if requested by the Town. Under this schedule the next anticipated drawdown would occur in 2010/2011. If conditions change that would warrant an alteration in this schedule, the Town would have to furnish information that demonstrated and justified any such change. Alternatively, if the Department became aware of an unacceptable resource impact as a result of the proposed schedule, an adjustment in the schedule would be likely.

I hope that this proposed schedule is responsive to your request. Also, I wish you success in moving forward with the various lakes management ideas and initiatives that were discussed last year. The results of those efforts will provide important and critical information that will aid future Beach Pond management decisions.

Truly yours,



Gina McCarthy  
Commissioner

cc: Ronald Millovitsch, Town of Voluntown  
Voluntown Inland Wetland Commission  
DEP Dist.

# Requests to Draw Down State Owned Impoundments

## The Policy

The Department, on a reimbursement basis, will provide drawdown services for state owned impoundments when requested by a municipal chief elected official and the chairman of any formally established lake authority or association, provided the requested drawdown will not cause significant adverse impacts to aquatic or other natural resources.

## Background

For many years, when requested by a municipality, lake association or other similar group, the Department has initiated and maintained the drawdown of impoundments under its control. Typically these drawdown requests were intended to accommodate maintenance activities by shoreline residents, to avoid or minimize ice damage and to control aquatic vegetation. The impacts (positive and negative) of these drawdowns were not closely assessed.

Over time, there has been an increased awareness by the Department's biological disciplines that drawdowns can have a number of adverse impacts on aquatic ecosystems. These include changes in sediment characteristics, water quality and populations of aquatic organisms including plankton, macrophytes, macroinvertebrates, and fish. The extent of these changes and the specific characteristics (hydrologic and biologic) of the impoundment, in combination with the timing, duration and magnitude of a drawdown, result in overall impacts that are unique to each site. Furthermore, Department priorities and staff resources have made it difficult to justify the use of personnel to accomplish and monitor drawdowns.

In order to most efficiently use personnel, address natural resource protection issues and the needs of shoreline residents, the Department will be handling requests to draw down state owned impoundments in accordance with the procedures set forth below.

## Application Procedures

- The chief elected official of the municipality in which a state owned impoundment is located and the chairman of any formally established lake authority or association may submit, in writing, a request to the Commissioner to draw down an impoundment. A request should be submitted by July 1st and contain at least the following information:
  - Name of the impoundment to be drawn down.
  - Purpose of and justification for the proposed drawdown.
  - Name, address and telephone number of the local contact person(s).
  - Confirmation that the requesting party will assume the reimbursement costs for implementing the drawdown.

- Description of the notification procedures that will be used by the requesting party to inform shoreline and downstream property owners of the drawdown schedule that is provided by the Department.
- Specific supporting information and studies if any deviation from the general environmental requirements listed below is requested.

### **General Environmental Requirements**

- Drawdowns shall not begin before September 10th. The duration of a drawdown shall be minimized and in no case should it extend past the completion of the stated purpose of the drawdown. All drawdowns will be terminated in sufficient time to allow the normal water surface elevation to be restored by April 15th.
- The depth of the drawdown shall not exceed three feet below the normal elevation of the impoundment.
- The rate of the drawdown shall be set and monitored so as to avoid erosion either in the impoundment or downstream of the dam's discharge structure.
- The rate of the discharge shall not cause any downstream flooding problems and shall not exceed the hydraulic capacity of any downstream restriction.
- During all phases of a drawdown (lowering, target drawdown elevation and refilling), a release downstream that is equal to .5 cubic feet per second times the watershed area (e.g. 245 sq. mi. x .5 cfs = 123 cfs) or natural inflow, whichever is less, shall be maintained at all times.

### **Review and Administration**

- The Department's review and preparation of a recommended response to drawdown requests submitted to the Commissioner shall be coordinated by the Office of Environmental Review (OER). In fulfilling this responsibility, the OER will inform and solicit comments on requests from the State Parks, Fisheries, Inland Water Resources, Water Planning & Standards and Agency Support Services Divisions and the Natural Resources Center. The OER will also use the Summary List, an existing internal project review notification, to inform Department staff of pending drawdown requests. To ensure timely responses, the OER will establish comment deadlines. If additional information is necessary in order to complete the review of a request, the OER will request the additional information from the applicant. The OER, upon receipt of a complete request, will strive to provide to the Commissioner a coordinated Departmental recommendation within 45 days. If a drawdown approval is recommended by staff, it may contain special conditions. Alternatively, any request that is recommended to be denied shall include the reasons for this action. The final decision on a request will be forwarded by letter to the requesting party.
- If the Department grants a drawdown request, the applicant will be furnished, by

- District field personnel, a drawdown schedule.
- The Commissioner may discontinue a drawdown at any time for reasons of public safety or natural resource protection concerns. The party who requested the drawdown will be informed of this decision as soon as possible.
  - The Department will endeavor to achieve and maintain the requested water level reduction throughout the drawdown period. Circumstances beyond the control of the Department, such as weather conditions, may prevent or limit the success of a drawdown. Also, similar circumstances may hamper refilling efforts. These risks should be recognized and accepted when requests are submitted.
  - The Bureau of Financial and Support Services will establish an accounting and billing system to recover drawdown expenses. Any expenses incurred in discontinuing a drawdown, in accordance with a decision by the Commissioner, will be assumed by the Department.

### Waiver Requests

Upon a specific request from a party that implemented and controlled a drawdown during the 1997/8 season, the Commissioner, at his discretion, may again grant such privileges for the 1998/9 season only. In granting such requests, the Commissioner will consider the following:

- the success of the 1997/8 drawdown,
- the demonstrated capability to undertake the 1998/9 drawdown, and
- the acceptance of responsibility by the implementing party for any damages above or below the impoundment, the dam or discharge structure that are the result of the drawdown.

Date: September 5, 1998



Arthur J. Rocque, Jr.  
Commissioner