

From: Jonathan R. Earle
Sent: Tuesday, August 01, 2017 8:49 AM
To: Amanda L. Lessard
Subject: FW: Status of Highland View development and Highland Lake

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From: Dennis R. Brown [<mailto:lakesideme@yahoo.com>]
Sent: Monday, July 31, 2017 4:49 PM
To: Cherry, David; Ben Smith; ecroce@falmouthme.org
Cc: Kim White; Jonathan R. Earle; htrue@cumberlandswcd.org; Rosie Hartzler; Chantal Scott; Arbo, Audie
Subject: Status of Highland View development and Highland Lake

Dear Town and State Representatives,

I'm writing to you over my concern for the changing quality of the water in Highland Lake that is mostly in Windham and Falmouth. I'm sure you all recognize the economic and social value of Highland Lake not only to the residents on the lake, but also the two communities that surround it. I'm also sure that you know that it was just in 2010 that the lake status changed and Highland Lake was removed from the list of lakes with very high TMDL's on the MDEP Lake list. Since then we are in the fourth year in a row of a picocyanobacteria bloom. As yet it is unclear what is causing the bloom, but surely we don't want to make things worse before we fully understand the mechanisms in play.

I believe it is imperative that the Towns of Windham and Falmouth work together with the DEP and the Lake Association to immediately establish and implement very rigid temporary development guidelines to assure that we don't exacerbate the problem, making recovery even that much more difficult and expensive. It is known that the two major projects will increase the phosphorus loading on the lake. Without your intervention, this is going to occur even though Highland is one of the most densely populated lakes per acre in Maine. I offer the following recommendations in addition to the one above of greatly tightening the development standards:

1. Do not allow any development to add any additional phosphorus to the lake. This means no leakage into the feeding brooks or directly/indirectly into the lake. Paying annual stipends is not an alternative that is acceptable. That doesn't solve the problem.

2. Specifically on the Highland View project, it is known that a number of violations in changing the property were done by the previous owner, including adding a beach and digging a trench around the property to reduce the wetlands and increase the useable land. This trench has led to silt infiltration into the lake that wouldn't have occurred had the water flowed as it had through the natural brook. Require as part of the permit process that the manmade trench be filled in and the property be re-evaluated as to what is wetlands and what is not after a full year to let ground water get back to it's natural state. It is not appropriate to make wetland judgements based upon a "drain the swamp moat" configuration. It is recognized that the current owner is not responsible for the moat, but they are asking for a substantial development project that clearly benefits from the illegal trenching. Can anyone do that to their property before selling and nothing can be done about it subsequently? I cannot believe that a loophole like that exists in current regulations.
3. Utilize the Highland Lake Association and Next Door email vehicle to outline best practices on lawn and yard maintenance to all full and part time residents of the lake. This is something that needs to be continuous., as homes are sold and new people take over without realizing the different environmental issues surrounding the lake.
4. Continue to work with and provide expertise as well as funding (thank you Windham) to identify the cause of the bloom. At this point, the Highland Lake Association seems to have the lead role in the identification of the cause. Any additional leadership/guidance would be welcome, I'm sure.

With the best interest of Highland Lake, I submit these remarks and recommendations,

Dennis Brown
Resident on Highland Lake