

From: Dennis Brown <lakesideme@yahoo.com>
Sent: Thursday, April 19, 2018 5:55 PM
To: Kim White; Donna Chapman; Jeff Dennis; John MacKinnon; Robyn Saunders; Nathan Poore; Rosie Hartzler; Chantal Scott; Gretchen A. Anderson; Tony Plante; Tom Peterson; Nancy Lightbody; Kimberly Darling; Wendy Garland; Heather True; Amanda L. Lessard; Thomas VerLee; Timothy Hawkins; Peter Simonson; ken lageroos; cathy costa; Donna Pennoyer; Rich Bicknell; Joe Bickard; Keith Williams
Subject: Maine DEP List of Phosphorus Budget Parameters
Attachments: Appendix C Table.xls

Hello,

After talking with Wendy Garland of the DEP earlier today about finding an older version of the allowable phosphorus per acre per year spreadsheet on line, Jeff Dennis, who is the person responsible for developing the list, sent me the latest version attached (Thanks Jeff). I highlighted the two Highland Lake entries: one for Windham and one for Falmouth. Highland is near the top of the list when I sorted by lowest phosphorus budget per acre allowed. This is a sort where one wishes they were at the bottom of the list.

It is important to note that out of the 1178 lakes/towns listed, that there is only one with a lower budget amount than Highland Lake and five that are tied with us. Highland Lake is listed as “Poor but Restorable” in the Water Quality Category column!

I realize that all of you are keenly aware of the importance of reducing current phosphorus export to the lake but also to minimize new sources of phosphorus. As noted above, the Lake is restorable, but **that only happens if we act responsibly and effect the necessary changes to make that happen now and over the long term.**

This information strongly supports the need to pass the HLA retroactive ordinance recommendations in Windham and later, where applicable, in Falmouth. Those recommendations are outlined below:

The Highland Lake Association (HLA) recommends that the proposed land use ordinances for subdivision and commercial development in the Highland Lake watershed to be adopted retroactive to September 5, 2017. These ordinances include:

- Require any development to meet the current DEP phosphorus standard of .020 lbs/acre/year
- Eliminate the current compensation fee option that allows a development to exceed the phosphorus standard by paying a fee.
- Discontinue the ability for a developer to allow public open space within a subdivision in exchange for the ability to build additional houses than would otherwise not be allowed.

Since the inception of the Moratorium on all development in the Highland Lake Watershed, September 5, 2017, the Town of Windham has made modifications to individual home building standards that now include a point system of phosphorus control that previously did not exist in Windham. We feel this is a positive and healthy step for the lake.

However, there has not yet been any similar Town tightening of the phosphorus rules that would impact commercial or residential subdivision development within the watershed. We strongly feel that these three ordinance changes, in conjunction with the existing regulations will more effectively serve to protect the water quality in Highland Lake

There will be more recommendations forthcoming from the Highland Lake Leadership Team, but we cannot wait for those recommendations to make their way through the full approval processes.

Sobering thoughts.

Regards and Amanda, would you please see that the Planning Board gets a copy of this before the meeting on Monday,

Dennis Brown