June 30, 2009

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: Submission of Revised Shoreline Management Plan for the Housatonic River Project for Commission Review and Approval (Project No. 2576-100)

Dear Secretary Bose:

FirstLight Hydro Generating Company (FirstLight), the Licensee for the Housatonic River Project (Project), is pleased to submit for Commission review and approval a revised Shoreline Management Plan (SMP). The Revised SMP is submitted in lieu of the Original SMP filed by FirstLight on July 27, 2006, which is hereby withdrawn.

Enclosed herewith are letters of support that have been submitted to FirstLight or directly to the Commission from the following:

- Towns of: Bridgewater, Brookfield, Monroe, New Fairfield, New Milford, Newtown, Oxford, and Southbury
- City of Danbury
- Lake Lillinonah Authority

This Revised SMP is the result of nearly a year’s worth of discussions between the municipalities with lands within the Project boundaries, various state, federal and local agencies, Lake Authorities, and other stakeholders. These discussions began in July 2008 when FirstLight and the five towns bordering Candlewood Lake (Brookfield, Danbury, New Milford, New Fairfield, and Sherman) began developing a collaborative process to provide adjacent municipalities an opportunity to contribute and provide input into FirstLight’s decisions on the permitting of non-Project uses within the Project Boundary. A Land Use Agreement, which is included as Exhibit A to the Revised SMP, was finalized and has now been signed by 7 of the 14 municipalities that encompass the Project. This Land Use Agreement addresses important issues such as the grandfathering of non-Project uses that existed prior to of July 1, 2008, many of which predate the Commission’s issuance of the initial Licenses for the Housatonic River Project P-

1 The City of Danbury’s letter of support was delivered to FirstLight and is being submitted herewith conditioned upon the City’s Common Council approval, which is slated to be obtained in July 2009.
2576 and the Falls Village Project P-2597, today relicensed as part of the Housatonic River Project P-2576.

After finalizing the Land Use Agreement, FirstLight and a broader group of stakeholders and agencies began meeting in early February 2009 to work through the concerns raised by the Original SMP and resolving the issues on which we could all find common ground. These meetings resulted in a redrafting of the Original SMP into its current format and an active exchange of ideas from the stakeholders continued every few weeks through May resulting in the final draft of the Revised SMP. The extensive efforts made by all to craft the Revised SMP culminated in a public meeting on May 21, 2009, at which FirstLight presented the new SMP to some seventy plus members of the public and opened the meeting up to public comments. FirstLight listened to the public feedback answered the various questions presented and collected written comments. As a result of the input received at the public meeting, FirstLight made several additional changes which are now incorporated into the Revised SMP that FirstLight files today.

FirstLight made several significant concessions in the Revised SMP in an effort to resolve contentious issues and gain the support of the many stakeholders and agencies involved. The most significant of these concessions is our willingness to forego collection of annual administrative fees to offset the costs of administering the SMP, fees which the Commission approved in its July 3, 2007 Order approving the Original SMP. FirstLight has made this concession contingent upon its SMP obligations remaining the same and not resulting in any material increases to the costs of implementing the Revised SMP in the future. This concession was the critical component in achieving the current level of stakeholder support for the Revised SMP. Therefore, FirstLight respectfully requests that the Commission accept this Revised SMP as written so that this delicate compromise can be maintained.

The SMP for the Housatonic Project has had a controversial history. Although this Revised SMP is widely supported, there are issues on which FirstLight and some of the stakeholders disagree. FirstLight hopes that the Commission recognizes that this Revised SMP achieves a delicate balance among the interests of many diverse stakeholders and fulfills the goals of the Commission. Therefore, FirstLight urges the Commission to approve this Revised SMP without material changes so that FirstLight and the stakeholders can begin a new era of protecting and enhancing the scenic, recreational and environmental values of the shoreline of the Housatonic River Project under a widely accepted SMP.
FirstLight appreciates the additional time allowed to hold discussions with stakeholders in the creation of the Revised SMP. The patience the Commission has shown on this matter was critical to the ability to reach agreement on the contents of a Revised SMP.

Thank you for our consideration of this request.

Sincerely,

James A. Ginnetti

Vice President
CERTIFICATE OF SERVICE

I hereby certify that the foregoing document has been served upon each person designated on the official service list compiled by the Secretary in this proceeding by way of electronic mail notice or by first-class mail this 30th day of June, 2009.

Debra Sloan
Davis Wright Tremaine LLP
1919 Pennsylvania Ave., NW, Suite 200
Washington, DC  200063402
TO
OWN OF BRIDGEWATER
Town Hall • P.O. Box 216 • Bridgewater, CT 06752

William T. Stuart
First Selectman

HOU SATONIC RIVER PROJECT NO. 2576
SHORELINE MANAGEMENT PLAN

LETTER OF SUPPORT

Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: FirstLight Hydro Generating Company; Revised Shoreline Management Plan (P-2576-083)

Dear Secretary Bose:

On June 23, 2004 the Federal Energy Regulatory Commission ("FERC") issued Northeast Generation Company (now known as FirstLight Hydro Generating Company or "FirstLight") a new license for the Housatonic River Project No. 2576 (the "Project") for a 40-year term (the "License"). Consistent with the requirements of the License, FirstLight filed a Shoreline Management Plan with FERC (the "Original SMP"). After approving the Original SMP with certain modifications on July 3, 2007, FERC subsequently rescinded that approval on October 29, 2007 in response to objections to the Original SMP from various stakeholders.

Since 2007, FirstLight and the stakeholders, including municipalities, intervenors, organizations and members of the public have worked diligently to develop a revised Shoreline Management Plan ("Revised SMP") for the Project that meets FERC requirements and addresses the unique needs of lakefront communities, residences and resources. The Revised SMP also represents a compromise of a number of issues among the many stakeholders.

The purpose of this letter is to express the undersigned's affirmative support of the Revised SMP that is being submitted by FirstLight on or before June 30, 2009. We hereby urge FERC to promptly approve the Revised SMP without modification as soon as practicable.

Thank you for your consideration.

Sincerely,

[Signature]

Print Name: William T. Stuart
Ms. Kimberly D. Bose  
Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426  

Re: FirstLight Hydro Generating Company: Revised Shoreline Management Plan

Dear Secretary Bose,

On June 23, 2004, the Federal Energy Regulatory Commission ("FERC") issued Northeast Generation Company (now known as FirstLight Hydro Generating Company or "FirstLight") a new license for the Housatonic River Project No. 2576 (the "Project") for a 40-year term (the "License"). Consistent with the requirements of the License, FirstLight filed a Shoreline Management Plan with FERC (the "Original SMP"). After approving the Original SMP with certain modifications on July 3, 2007, FERC subsequently rescinded that approval on October 29, 2007 in response to objections to the Original SMP from various stakeholders.

Since 2007, FirstLight and the stakeholders, including municipalities, intervenors, organizations and members of the public have worked diligently to develop a revised Shoreline Management Plan ("Revised SMP") for the project that meets FERC requirements and addresses the unique needs of lakefront communities, residences and resources. The Revised SMP also represents a compromise of a number of issues among the many stakeholders.

The purpose of this letter is to express the undersigned’s affirmative support of the Revised SMP that is being submitted by FirstLight on or before June 30, 2009. We hereby urge FERC to approve the Revised SMP without modifications as soon as practicable.

Thank you for your consideration.

Sincerely,

Robert G. Silvaggi  
First Selectman
May 15, 2009

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: FirstLight Hydro Generating Company; Revised Shoreline Management Plan (P-2576-083)

Dear Secretary Bose:

On June 23, 2004 the Federal Energy Regulatory Commission ("FERC") issued Northeast Generation Company (now known as FirstLight Hydro Generating Company or "FirstLight") a new license for the Housatonic River Project No. 2576 (the "Project") for a 40-year term (the "License"). Consistent with the requirements of the License, FirstLight filed a Shoreline Management Plan with FERC (the "Original SMP"). After approving the Original SMP with certain modifications on July 3, 2007, FERC subsequently rescinded that approval on October 29, 2007 in response to objections to the Original SMP from various stakeholders.

Since 2007, FirstLight and the stakeholders, including municipalities, intervenors, organizations and members of the public have worked diligently to develop a revised Shoreline Management Plan ("Revised SMP") for the Project that meets FERC requirements and addresses the unique needs of lakefront communities, residences and resources. The Revised SMP also represents a compromise of a number of issues among the many stakeholders.

The purpose of this letter is to express the undersigned’s affirmative support of the Revised SMP that is being submitted by FirstLight on or before June 30, 2009. We hereby urge FERC to promptly approve the Revised SMP without modification as soon as practicable.

Thank you for your consideration.

Tom Buzi, First Selectman
HOUSATONIC RIVER PROJECT NO. 2576

SHORELINE MANAGEMENT PLAN

LETTER OF SUPPORT

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

May 21, 2009

Re: FirstLight Hydro Generating Company; Revised Shoreline Management Plan (P-2576-083)

Dear Secretary Bose:

On June 23, 2004 the Federal Energy Regulatory Commission ("FERC") issued Northeast Generation Company (now known as FirstLight Hydro Generating Company or "FirstLight") a new license for the Housatonic River Project No. 2576 (the "Project") for a 40-year term (the "License"). Consistent with the requirements of the License, FirstLight filed a Shoreline Management Plan with FERC (the "Original SMP"). After approving the Original SMP with certain modifications on July 3, 2007, FERC subsequently rescinded that approval on October 29, 2007 in response to objections to the Original SMP from various stakeholders.

Since 2007, FirstLight and the stakeholders, including municipalities, intervenors, organizations and members of the public have worked diligently to develop a revised Shoreline Management Plan ("Revised SMP") for the Project that meets FERC requirements and addresses the unique needs of lakefront communities, residences and resources. The Revised SMP also represents a compromise of a number of issues among the many stakeholders.

The purpose of this letter is to express the undersigned's affirmative support of the Revised SMP that is being submitted by FirstLight on or before June 30, 2009. We hereby urge FERC to promptly approve the Revised SMP without modification as soon as practicable.

Thank you for your consideration.

Sincerely,

John Hodge, First Selectman
Town of New Fairfield
May 28, 2009

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: FirstLight Hydro Generating Company; Revised Shoreline Management Plan
Housatonic River Project #2567

Dear Secretary Bose:

On June 23, 2004 the Federal Energy Regulatory Commission ("FERC") issued Northeast Generation Company (now known as FirstLight Hydro Generating Company or "FirstLight") a new license for the Housatonic River Project No. 2576 (the "Project") for a 40-year term (the "License"). Consistent with the requirements of the License, FirstLight filed a Shoreline Management Plan with FERC (the "Original SMP"). After approving the Original SMP with certain modifications on July 3, 2007, FERC subsequently rescinded that approval on October 29, 2007 in response to objections to the Original SMP from various stakeholders.

Since 2007, FirstLight and the stakeholders, including municipalities, intervenors, organizations and members of the public have worked diligently to develop a revised Shoreline Management Plan ("Revised SMP") for the Project that meets FERC requirements and addresses the unique needs of lakefront communities, residences and resources. The Revised SMP also represents a compromise of a number of issues among the many stakeholders.

The purpose of this letter is to express my support of the revised SMP that is being submitted by FirstLight on or before May 31, 2009. This revised SMP is a product of countless hours of meetings, public input, discussion and healthy debate. I feel it is a workable solution for all interested parties and encourage your approval of this revised SMP without modification as soon as feasible.

Thank you for your consideration.

Sincerely,

Patricia Murphy
Mayor
May 11, 2009

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: FirstLight Hydro Generating Company: Revised Shoreline Management Plan
(P-2576-083)

Dear Secretary Bose:

On June 23, 2004 the Federal Energy Regulatory Commission ("FERC") issued Northeast Generation Company (now known as FirstLight Hydro Generating Company or "FirstLight") a new license for the Housatonic River Project No. 2576 (the "Project") for a 40-year term (the "License"). Consistent with the requirements of the License, FirstLight filed a Shoreline Management Plan with FERC (the "Original SMP"). After approving the Original SMP with certain modifications on July 3, 2007, FERC subsequently rescinded that approval on October 29, 2007 in response to objections to the Original SMP from various stakeholders.

Since 2007, FirstLight and the stakeholders, including municipalities, interveners, organizations and members of the public have worked diligently to develop a revised Shoreline Management Plan ("Revised SMP") for the Project that meets FERC requirements and addresses the unique needs of lakefront communities, residences and resources. The Revised SMP also represents a compromise of a number of issues among the many stakeholders.

The purpose of this letter is to express the undersigned’s affirmative support of the Revised SMP that is being submitted by FirstLight on or before June 30, 2009. We hereby urge FERC to promptly approve the Revised SMP without modification as soon as practicable.

Thank you for your consideration.

Sincerely,

Joseph E. Borst
First Selectman

JEB/sm
Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: FirstLight Hydro Generating Company; Revised Shoreline Management Plan (P-2576-083)

Dear Secretary Bose:

On June 23, 2004 the Federal Energy Regulatory Commission ("FERC") issued Northeast Generation Company (now known as FirstLight Hydro Generating Company or "FirstLight") a new license for the Housatonic River Project No. 2576 (the "Project") for a 40-year term (the "License"). Consistent with the requirements of the License, FirstLight filed a Shoreline Management Plan with FERC (the "Original SMP"). After approving the Original SMP with certain modifications on July 3, 2007, FERC subsequently rescinded that approval on October 29, 2007 in response to objections to the Original SMP from various stakeholders.

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The purpose of this letter is to express the undersigned's affirmative support of the Revised SMP that is being submitted by FirstLight on or before June 30, 2009. We hereby urge FERC to promptly approve the Revised SMP without modification as soon as practicable.

Thank you for your consideration.

Sincerely,

Print Name: Mary Ann Hoyt-Rogers
Affiliation, if any: First Selectman
Re: FirstLight Hydro Generating Company: Revised Shoreline Management Plan (P-2576-083)

Dear Secretary Bose:

On June 23, 2004 the Federal Energy Regulatory Commission ("FERC") issued Northeast Generation Company (now known as FirstLight Hydro Generating Company or "FirstLight") a new license for the Housatonic River Project No. 2576 (the "Project") for a 40-year term (the "License"). Consistent with the requirements of the License, FirstLight filed a Shoreline Management Plan with FERC (the "Original SMP"). After approving the Original SMP with certain modifications on July 3, 2007, FERC subsequently rescinded that approval on October 29, 2007 in response to objections to the Original SMP from various stakeholders.

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The purpose of this letter is to express the undersigned’s affirmative support of the Revised SMP that is being submitted by FirstLight on or before June 30, 2009. We hereby urge FERC to promptly approve the Revised SMP without modification as soon as practicable.

Thank you for your consideration.

Sincerely,

H. William Davis, Jr.
Southbury First Selectman
May 21, 2009

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: FirstLight Hydro Generating Company: Revised Shoreline Management Plan (P-2576-083)

Dear Secretary Bose:

On June 23, 2004 the Federal Energy Regulatory Commission ("FERC") issued Northeast Generation Company (now known as FirstLight Hydro Generating Company or "FirstLight") a new license for the Housatonic River Project No. 2576 (the "Project") for a 40-year term (the "License"). Consistent with the requirements of the License, FirstLight filed a Shoreline Management Plan with FERC (the "Original SMP"). After approving the Original SMP with certain modifications on July 3, 2007, FERC subsequently rescinded that approval on October 29, 2007 in response to objections to the Original SMP from various stakeholders.

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The purpose of this letter is to express the undersigned's affirmative support of the Revised SMP that is being submitted by FirstLight on or before June 30, 2009. We hereby urge FERC to promptly approve the Revised SMP without modification as soon as practicable.

Thank you for your consideration.

Sincerely,

Mark D. Boughton
Mayor
June 3, 2009

Lake Lillinonah Authority
P.O. Box 227, Roxbury, CT 06783

HOU SATONIC RIVER PROJECT NO. 2576
SHORELINE MANAGEMENT PLAN
LETTER OF SUPPORT

Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: FirstLight Hydro Generating Company; Revised Shoreline Management Plan (P-2576-083)

Dear Secretary Bose:

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Since 2007, FirstLight and the stakeholders, including municipalities, intervenors, organizations and members of the public have worked diligently to develop a revised Shoreline Management Plan ("Revised SMP") for the Project that meets FERC requirements and addresses the unique needs of lakefront communities, residences and resources. The Revised SMP also represents a compromise of a number of issues among the many stakeholders.

The purpose of this letter is to express the undersigned’s affirmative support of the Revised SMP that is being submitted by FirstLight on or before June 30, 2009. We hereby urge FERC to promptly approve the Revised SMP without modification as soon as practicable.

Thank you for your consideration.

Yours truly,

William R. Davidson, chairman
Lake Lillinonah Authority
I. INTRODUCTION

On June 23, 2004 the Federal Energy Regulatory Commission ("FERC") issued Northeast Generation Company (now known as FirstLight Hydro Generating Company) a new license for the Housatonic River Project No. 2576 (the "Project") for a 40-year term (the "License"). Article 413 of the License requires the licensee to regulate the non-project use and occupancy of lands and waters within the Project boundary and Article 407 of the License requires the licensee to develop and submit for FERC approval a Shoreline Management Plan ("SMP") that constitutes a comprehensive plan for managing reservoir shorelines and riverfront lands within the Project boundary.

On July 27, 2006, FirstLight filed an SMP with FERC (the "Original SMP"). After approving the Original SMP with certain modifications on July 3, 2007, the FERC subsequently rescinded that approval on October 29, 2007 in response to objections to the Original SMP from various stakeholders including municipalities, organizations and members of the public.

The purpose of this SMP is to resolve all outstanding matters related to Articles 407 and 413 of the License. This SMP together with the Land Use Agreement between FirstLight and certain municipalities, submitted to FERC on January 29, 2009 (the "Land Use Agreement") which is incorporated herein, constitute a new SMP proposal to be submitted by FirstLight to FERC for approval in lieu of the Original SMP. The Land Use Agreement is attached hereto as Exhibit A. Articles 407 and 413 of the License are attached hereto as Exhibit B and Exhibit C, respectively.

II. DEFINITIONS

a) "Abutting Property Owner" is an individual, group or entity that has title to land that abuts the Project boundary.

b) "Deeded Rights" are private property rights specifically established in a recorded instrument regarding the right to utilize land or waters within the Project boundary.

c) "Project Boundary" is a jurisdictional line established by FERC to enclose the lands, waters and structures necessary for the operation of a hydroelectric project. The current Housatonic Project Boundary is delimited in the Exhibit G Drawings filed as part of the application for new license submitted by Northeast Generation Services Company on August 31, 1999. Such drawings detail all areas within the project boundary and the boundaries for the five (5) developments reservoirs that comprise the Housatonic River Project. With a few exceptions, the Project Boundaries are at the following elevations:

Falls Village: 660.5’ CL&P Datum = 633.2’ National Geodetic Vertical Datum (NGVD)
Bulls Bridge: 356’ CL&P Datum = 354’ NGVD
Rocky River: 440’ CL&P Datum = 438.1’ NGVD
Shepaug: 210’ CL&P Datum = 208.3’ NGVD
Stevenson: 110’ CL&P Datum = 108.3’ NGVD
d) "Vegetated Buffer Zone" is an area within the Project boundary adjacent to the water intended to provide for the establishment of native vegetated cover plants over time to the extent reasonable and practicable. The area may or may not currently support native vegetated cover.

e) "Vegetated Buffer" is an area of native vegetation created either through natural succession (i.e. stop mowing grass) or the planting of native trees, shrubs and herbaceous or ground covers that occupy between 5% and 50% of the Vegetated Buffer Zones mapped in Exhibit D.

III. TERM

This SMP shall become effective on the date on which it is approved by FERC ("Effective Date"). The term of this SMP shall be the term of the Project License. Consistent with License Article 407(m) FirstLight shall review and, as necessary, update the SMP every six years. All updates to the SMP shall be submitted to FERC for review and approval. Prior to submitting to FERC any update or modification to the SMP FirstLight shall consult with local stakeholders, including municipalities, Lake Authorities, state and federal agencies. Such consultation is intended by the parties to be an exchange of ideas, comments, and proposals. The goal of the consultation process is to achieve consensus amongst the parties to the extent possible and shall include at least one noticed public hearing prior to any SMP update or modification being submitted to FERC.

IV. FEES FOR NON-COMMERCIAL NON-PROJECT USE

a) FirstLight proposes that, for the term of this SMP, it shall not impose the following fees on Abutting Property Owners, municipalities, and/or those with Deeded Rights, the State of Connecticut Department of Environmental Protection or entities otherwise authorized by FirstLight in writing to utilize Project lands and waters related to their non-commercial use and occupancy of lands and waters within the Project boundary:

(i) Registration fees for existing structures.

(ii) One-time fees for new structures, repairs or replacements of existing structures.

(iii) Annual license/permit administration fees.

b) FirstLight reserves the right to impose enforcement fees and otherwise impose sanctions, per Exhibit E, for failure to register and/or permit an existing or new use within the Project boundary, or violation of any license. permit, SMP, Project License or Federal Power Act (FPA) requirement on individuals or entities engaging in the use or occupancy of lands or waters within the Project boundary. Such fees may encompass the recovery of legal costs related to enforcement.

c) FirstLight further reserves the right to recover from Abutting Property Owners, entities with Deeded Rights, municipalities or others related to their
non-commercial use and occupancy of lands and waters within the Project boundary any costs, including legal costs, associated with:

(i) The conveyance of property rights by FirstLight within the Project boundary for any purpose (including survey costs).

(ii) Obtaining FERC authorization for a non-commercial non-Project use that FirstLight does not have authority to permit under Article 413 (including application costs).

(iii) Taxes, fees or other costs levied upon FirstLight by municipalities or other third parties for improvements associated with non-Project use and occupancy within the Project boundary and any other similar costs that were not reasonably anticipated or foreseen by FirstLight at the time this Agreement was filed.

d) It is FirstLight’s intention to apply the fee policy described herein for the term of the License. Provided, that FirstLight reserves the right to reconsider the fee policy in the event substantial additional obligations and costs are imposed on it related to the implementation of Articles 407 and 413 beyond those specified in this SMP.

e) If in the future FirstLight reconsiders the fee policy specified herein pursuant to clause (d) of this Section entities and persons other than FirstLight reserve any and all legal rights to contest the authority of FirstLight to impose additional fees. The support of parties other than FirstLight for this SMP shall not be construed as an admission or concession by such parties that FirstLight has legal authority to impose additional fees.

(f) If in the future FirstLight reconsiders its fee policy pursuant to clause (d) of this Section FirstLight reserves any and all legal rights to assert that it has authority to impose additional fees not specified herein. FirstLight’s support for this SMP shall not be construed as an admission or concession that it does not have legal authority to impose additional fees.

V. REVENUES AND FEES FOR COMMERCIAL NON-PROJECT USES

a) Commercial non-Project uses, including, but not limited to, marinas and boat ramps, shall be charged, through leases or other means, market value for any use and occupancy of lands or waters within the Project boundary.

FirstLight reserves the right to impose enforcement fees and otherwise impose sanctions, per Exhibit E, for failure to register and/or permit an existing or new use within the Project boundary, or violation of any permit, SMP, Project License or FPA requirement on individuals or entities engaging in the use or occupancy of lands or waters within the Project boundary. Such fees may encompass the recovery of legal costs related to enforcement.

b) FirstLight further reserves the right to recover from Abutting Property Owners, entities with Deeded Rights, or others related to their commercial use and occupancy of lands and waters within the Project boundary any costs, including legal costs, associated with:
(i) The conveyance of property rights by FirstLight within the Project boundary for any purpose (including survey costs).

(ii) Obtaining FERC authorization for a commercial non-Project use that FirstLight does not have authority to license or permit under Article 413 (including application costs).

(iii) Taxes, fees or other costs levied upon FirstLight by municipalities or other third parties for improvements associated with non-Project use and occupancy within the Project boundary and any other similar costs that were reasonably not anticipated or foreseen by FirstLight at the time this Agreement was executed.

c) This section shall not apply to municipalities.

VI. SHORELINE VEGETATION REMOVAL

a) Removal of trees, shrubs and other vegetation located within the Project boundary is prohibited without prior written approval by FirstLight. Such prohibition does not apply to pruning, mowing, or weeding. Notwithstanding the foregoing, pruning, mowing or weeding of a Vegetated Buffer shall not be permitted.

b) In the event existing vegetation within the Project boundary is removed without prior authorization through a permit from FirstLight individuals, groups or entities who engaged in such removal shall be required to plant or pay for the planting of native vegetation similar to the size and type of vegetation removed to the extent reasonable.

c) FirstLight shall allow limited removal of vegetation for the construction and installation of docks, seawalls or retaining walls otherwise permitted under the terms of the Land Use Agreement provided that it deems such removal to be environmentally acceptable and consistent with a native vegetation landscape plan submitted to FirstLight for review and approval.

d) Upon receipt of written notification that a tree on lands FirstLight owns potentially poses a substantial risk of injury or damage to private property, FirstLight shall contract with a licensed arborist or forester to perform a site visit and provide a professional recommendation regarding the tree. If a substantial risk of injury or damage is confirmed by the arborist or forester, FirstLight shall assume responsibility for the costs of cutting down the tree. The tree remains shall, if practicable, be stacked by FirstLight within the Project boundary. In addition, such remains shall be stacked by FirstLight in a manner that preserves any deeded right an Abutting Property Owner may have to pass and repass. Such remains may be removed by the abutting private landowner if they chose to do so. To the extent feasible, FirstLight or its agents shall secure, remove and/or dispose of fallen trees that cause a material hazard to navigation in the lake.

e) Following the receipt of any and all approvals from Candlewood Lake Authority, Connecticut DEP and/or any other local or state agency having
requisite authority and jurisdiction, FirstLight will consider and authorize, as appropriate in FirstLight's discretion, requests by adjacent landowners for use or operation of heavy equipment, machinery or other weed control measures within the Project Boundary.

VII. VEGETATED BUFFER ZONES AND VEGETATED BUFFERS

a) Vegetated Buffer Zones shall be established by FirstLight on its shorelines of up to 200 feet measured horizontally from the high water mark on undeveloped lands owned by FirstLight within the Project boundary.

b) To the extent reasonable and feasible, 200 foot Vegetated Buffer Zones are established for all undeveloped lands within the Project boundary and 50 foot Vegetated Buffer Zones are established for all other shoreline designations. In areas such as Squantz Pond and elsewhere where many existing residences are very close to the water, the Vegetated Buffer Zone will be adjusted to take this into account. On Squantz Pond abutting landowners with residences may not be required by FirstLight under clause (c) below to install vegetated buffers that occupy more than 5% of lands within the Project boundary occupied by such landowner.

c) Landowners abutting the Project boundary shall be required to install a vegetated buffer composed of native vegetation within five (5) years of change of ownership of property, a change in the size, location or configuration of an existing structure, or installation of a new structure. Such installation shall be subject to review and written approval by FirstLight. This requirement may be waived at the discretion of FirstLight if the installation of such buffers is not reasonably practicable, feasible and/or violates applicable law.

d) FirstLight shall establish a vegetated buffer education program, which shall include development and dissemination of educational materials, workshops, seminars and modest cash award programs for model vegetated buffers.

e) Where lands within the Project boundary have been previously cleared and structures such as seawalls and patios have been constructed, FirstLight shall recommend and encourage abutting property owners to voluntarily re-vegetate project lands around such structures.

f) FirstLight shall, in consultation with the River Advisory Committee or Lake Advisory Committee, target select non-residential shoreline areas on its own lands within the Project boundary for re-establishment of native vegetation where a clear environmental benefit would be evident, such as active erosion areas, and/or areas of clear educational value where public access sites are highly visible or traveled.

VIII. DERELICT DOCKS

a) All entities shall be responsible for maintaining their docks in safe working condition. If a dock is to be removed or replaced, the old dock must be disposed of properly. FirstLight or its agents shall endeavor to secure,
remove and/or dispose of derelict docks that break loose or cause a hazard to navigation.

b). If the owner of the derelict dock can be identified, they will be charged an enforcement fee plus the cost of recovering and disposing of the dock. The owner of the dock may be subject to loss of their permit and enforcement fees if there is evidence that the dock was purposefully released into the Lake.

IX. MOORINGS

a) Except as previously licensed or permitted by FirstLight, moorings are prohibited within the Project boundary.

b) All existing unlicensed moorings shall be removed by FirstLight within two years of SMP approval by FERC.

c) FirstLight shall have discretion to approve new moorings on a case-by-case basis to accommodate individuals and communities with Deeded Rights to install a dock where site conditions are not conducive to dock installation.

d) Moorings shall not be used as marker buoys to demarcate swimming areas or prevent boats from traveling near the shoreline.

e) Prior to the issuance of a permit by FirstLight, all new moorings must be approved by the Connecticut Department of Environmental Protection in accordance with applicable regulations.

X. BOAT OVERCROWDING AND DOCKS

Permits for residential docks shall be for the mooring of not more than two registered boats and two registered personal watercrafts as defined in the Connecticut General Statutes. Attached Exhibit F, Boat Dock Guidelines, shall apply to all new and modified replacement dock structures and shall be implemented in compliance with the Land Use Agreement, the SMP, Article 413 and other applicable requirements.

FirstLight will endeavor to control the expansion of the commercial marinas on Candlewood Lake in an effort to limit growth of boat traffic on that Lake. Any such expansion would require express FERC approval and would be subject to the requirements of the Land Use Agreement.

FirstLight acknowledges that overcrowding may exist on the lakes within the Project Boundary during peak weekends of the boating season. FirstLight will review and engage in continued dialogue with the Connecticut DEP, the municipalities within the Project boundary and Lake Authorities concerning possible approaches to enhancing public safety presence on the waters within the Project boundary and, in particular, Candlewood Lake, during peak weekends of the boating season.

XI. SWIM AREAS

a) Swim areas shall only be allowed with applicable Connecticut Department of Environmental Protection approval.
b) Floating swim platforms must be approved by FERC pursuant to Article 413. Such platforms must be anchored to the Lake bottom and shall only be allowed within Connecticut Department of Environmental Protection approved swim areas. Applications for floating swim platforms shall be considered pursuant to the Land Use Agreement and in particular Section IV of such Agreement.

XII. LAND CONSERVATION PROGRAM

a) Undeveloped shoreline lands owned by FirstLight within the Project boundary shall be managed for environmental protection and conservation.

b) FirstLight shall, at its discretion, consider requests from appropriate State, Federal and local entities regarding the conveyance of conservation easements or other conservation restrictions regarding lands owned by FirstLight within the Project boundary that are not already protected.

c) FirstLight shall, at its discretion, support conservation restrictions on undeveloped lands within and adjacent to the Project boundary owned by private individuals.

d) See Exhibit G for shoreline designation descriptions and Exhibit H for shoreline designation maps.

XIII. STORM DRAINS AND OTHER CONVEYANCES

a) Pipes, municipal structures and other conveyances that occupy lands or waters within the Project boundary must be authorized by the appropriate authorities (either FirstLight and/or FERC) consistent with the requirements of Article 413 of the License.

b) FirstLight may at its discretion convey easements, rights of way or leases of Project lands for storm drains or other conveyances consistent with the requirements of Article 413 of the License.

c) Consistent with the Land Use Agreement, stormwater systems existing as of July 1, 2008 are “grandfathered.”

d) New stormwater discharges shall not be allowed within the Project boundary unless they employ current State of Connecticut Stormwater Quality Manual’s best management practices or guidelines.

e) If new discharges are requested, or if alterations to an existing discharge are observed, FirstLight shall notify State and local authorities that regulate such uses.

XIV. CAMPFIRES AND FIRE HYDRANTS

a) Campfires are not allowed within the Project boundary unless they comply with applicable state and local requirements.
b) Existing hydrants and provisions for the establishment of new hydrants shall be allowed within the Project boundary and permitted to ensure adequate emergency service for towns and adjacent community associations.

XV. PUMP OUT STATIONS

FirstLight shall, at its discretion, provide appropriate credits on lease and/or permit fees to marinas on Candlewood Lake that install pump out stations provided such facilities are open to the general public.

XVI. MOTORIZED USES

a) Wheeled motorized vehicular use shall not be permitted within the Project boundary except within designated registered or approved driveways, parking areas, boat ramps or roadways as authorized in writing by FirstLight. No wheeled or tracked motorized vehicles or heavy equipment may be utilized on Project Lands within the Project boundary unless authorized in writing by FirstLight.

b) A license or permit must be obtained from FirstLight to use wheeled or tracked motorized vehicles or heavy machinery and equipment within the Project boundary.

c) Any motorized use shall comply with applicable state and local requirements.

XVII. SEAWALLS AND RETAINING WALLS

a) Seawalls shall be located at the existing shoreline only.

b) Seawalls and upland retaining walls shall be constructed for the purpose of preventing direct run-off into the Project waters, and filtering out contaminants and pollutants before they enter the Project waters.

c) Seawalls shall be constructed in such a manner that they dissipate and/or absorb wave action energy and prevent any subsequent erosion of the shoreline.

d) Seawalls and upland retaining walls shall be licensed or permitted by FirstLight at its discretion pursuant to its authority under Article 413 of the License and in compliance with the Land Use Agreement. FirstLight will communicate more environmentally benign alternatives to solid bulkheads or seawalls.

XVIII. LAKE ADVISORY COMMITTEE

a) FirstLight shall establish and convene a Lake Advisory Committee as part of the implementation of the SMP consistent with the requirements in attached Exhibit I.
b) There shall not be a License Review Subcommittee. The review function of such a Subcommittee shall be exercised by the municipalities consistent with the terms of the Land Use Agreement.

XIX. RIVER ADVISORY COMMITTEE

FirstLight shall establish and convene a River Advisory Committee as part of the implementation of the SMP consistent with requirements in attached Exhibit I.

XX. LICENSE OR PERMIT TRANSFER

Licenses and permits shall automatically transfer to a new Abutting Property Owner but only if the licensee or permittee is in compliance with the license or permit and other applicable requirements and FirstLight receives written notice by the transferee that they accept all liabilities and responsibilities under the license or permit.

XXI. ENFORCEMENT

a) FirstLight is responsible for enforcement of the terms of this SMP and FERC requirements as they apply to the use and occupancy of lands and waters within the Project boundary.

b) FirstLight shall take any lawful action necessary to enforce the terms of the SMP and FERC requirements which shall include, but is not limited to trespass actions (where FirstLight owns the relevant land in fee) and the exercise of FirstLight's federal right of eminent domain under Section 21 of the FPA and enforcement fees in accordance with Sections IV and V of this SMP.

c) To the extent practicable, FirstLight shall consult with the relevant municipality regarding enforcement issues regarding opportunities for coordinated enforcement actions.

XXII. APPEALS

a) A Notice of Violation which specifies the violation and the fee(s) and/or sanction(s) imposed or to be imposed shall be sent to the person or entity who is alleged to have committed the violation by 1) in-hand delivery, or 2) by certified mail, return receipt requested, or (3) regular mail.

b) If the person or entity does not respond to the notice of violation within thirty days (30), then a bill will be issued by FirstLight.

c) Any person or entity who is issued a Notice of Violation shall be entitled to an appeals meeting with the CT Hydro Station Manager or an equivalent position within FirstLight. In order to have a hearing, the person or entity must deliver or mail a written request for an appeal hearing to the Land Management Administrator of FirstLight within thirty (30) days of receipt of the Notice of Violation.

d) The appeal shall be heard and decided by the CT Hydro Station Manager or his or her equivalent within forty-five (45) days of receipt of the request for an
appeal by the Land Use Administrator. Appeals of decisions of the CT Hydro Station Manager shall be made to the Federal Energy Regulatory Commission.

XXIII. EDUCATION PROGRAM

a) FirstLight shall publish materials regarding the SMP, Article 413, and associated requirements on a project website. FirstLight will also work with the Municipalities and the State Agencies, to develop appropriate educational materials for dissemination at boat ramps and other public access points, and/or the internet, including information on the location of available pump-out/dump station facilities and sanitary facilities.

b) FirstLight will periodically sponsor seminars for the public and contractors who may be interested in doing work within the Project boundary. These seminars will educate participants regarding the SMP policies regarding construction and vegetated buffers. FirstLight will also periodically sponsor seminars for real estate brokers to ensure requirements of the SMP and Article 413 are communicated to new property owners adjacent to the project.

XXIV. GIS DATA POLICY

a) FirstLight shall develop a Geographic Information System (GIS) for tracking shoreline activities and licenses/permits. FirstLight will make digital mapping data available to the Municipalities, the Lake Authorities, the Housatonic Valley Council of Elected Officials (HVCEO), the Housatonic Valley Association, and the Northwest Connecticut Council of Governments upon request.

XXV. REVIEW AND APPROVAL BY FERC

a) This SMP (which incorporates the Land Use Agreement) shall be submitted by FirstLight to FERC for review and approval to the extent of its jurisdiction.

b) The FirstLight submittal of the SMP shall also include a request that FERC staff conduct a publicly-noticed Technical Conference regarding the proposed SMP to provide an opportunity to explain the proposed SMP consistent with the FERC regulations on ex parte communications.

c) The Parties support for this SMP is contingent upon FERC approval of matters committed to FERC’s discretion under the FPA without material modification from what is proposed in this SMP.

XXVI. STAKEHOLDER SUPPORT

As described above, this SMP is the product of a collaborative effort among the relevant municipalities, agencies and other interested parties.
Land Use AGREEMENT

This Agreement is made as of the ____ day of _____ 2008, by and between FirstLight Hydro Generating Company (“FirstLight”) and [LIST MUNICIPALITIES] (individually referred to as “Municipality” or collectively, “Municipalities”). FirstLight and each Municipality are each referred to herein as a “Party” or collectively, as the “Parties”.

RECITALS

WHEREAS, the Connecticut Supreme Court held that certain land use and building regulations are preempted by the Federal Power Act (“FPA”) within the boundary of the Housatonic River Project (“Project”);

WHEREAS, the Municipalities desire to continue to have their land use, building, and health regulations applied to the use of lands and waters within their boundaries that are also within the Project boundary;

WHEREAS, Article 413 (standard land use article) of the Project license authorizes FirstLight to grant approvals for certain use and occupancy of lands and waters within the Project boundary without prior Federal Energy Regulatory Commission (“FERC”) approval and any use and occupancy not authorized by Article 413 is subject to approval by FERC;

WHEREAS, FirstLight has authority under Article 413 to authorize the following types of use and occupancy of lands and waters within the Project boundary:

(1) landscape plantings.
(2) non-commercial piers, landings, boat docks or similar structures that can accommodate no more than 10 water craft at a time and where said facility is intended to serve single family type dwellings.
(3) embankments, bulkheads, retaining walls or similar structures for erosion control to protect the existing shoreline.
(4) food plots and other wildlife enhancement.
(5) easements and rights of way for certain public infrastructure such as replacement or expansion of existing roads and bridges; and,

WHEREAS, if a use and occupancy of Project lands and waters is not authorized under Article 413, FirstLight may, at its discretion, petition FERC to authorize such use and occupancy.

NOW, THEREFORE, in consideration of the premises and mutual agreements set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

I. PURPOSE OF AGREEMENT
The purpose of this Agreement is to establish a process and standards for the application of local wetland, zoning, building and health permit requirements to lands/waters within the Housatonic River Project boundary to the extent permitted under the Project license and the FPA.

II. TERM

(a) This Agreement shall become effective on the date on which this Agreement has been duly executed and delivered by the Parties and reviewed and approved by FERC as described in Section X of this Agreement (“Effective Date”).

(b) The term of this Agreement shall be for five (5) years from the Effective Date. Thereafter, the Agreement shall continue in force from year to year until terminated in accordance with the terms of this Agreement.

(c) The Agreement may be terminated by any Municipality (but only with respect to such Municipality) upon 120 days prior notice to the other Parties to this Agreement; provided, however, the Agreement shall remain in full force and effect as it relates to any remaining non-terminating Parties.

(d) FirstLight may terminate this Agreement with respect to all Parties upon 120 days prior notice to the Municipalities.

III. PROCESS PROTOCOL FOR NON PROJECT USE AND OCCUPANCY THAT MAY BE AUTHORIZED BY LICENSEE UNDER ARTICLE 413

The following process shall be used to address any request for non-Project use of lands or waters within the Project boundary where FirstLight has authority under Article 413 of the Project license to grant approval to issue a license without FERC approval:

(a) Upon contact from applicant, FirstLight shall provide an application packet and schedule a site visit if necessary.

(b) Following receipt of an application, FirstLight shall review to determine whether the proposed use may be permitted under Article 413 of the Project license and whether adequate information is provided.

(c) If adequate information is provided and a preliminary determination has been made that the proposed use is permissible under Article 413, FirstLight shall issue a letter of filing consent to the applicant, authorizing the applicant to seek applicable wetland, zoning, health and building permits.

(d) If adequate information is not provided and/or the proposed use is not permissible under Article 413, the application shall be denied by FirstLight.
(e) Following receipt of a letter of filing consent, the applicant shall apply for all required permits, including wetland, zoning, building and health permits.

(f) If required permits are denied, FirstLight shall not approve the application.

(g) If required permits are granted, following final review, FirstLight shall approve the application, provided it is consistent with the requirements of its FERC license and the FPA.

(h) FirstLight shall promptly notify the applicant and applicable Municipality's chief elected official or designee(s) when the application has been approved or denied.

(i) Following completion of any authorized improvements, the applicable local authority shall inspect the improvements for conformity with the terms of the local permit(s) and the license and shall notify the applicant and FirstLight in writing regarding compliance.

(j) Following affirmative notification from the local authority, FirstLight will conduct a follow up site inspection and affix a metal license tag to the structure.

(k) If the applicant has not complied with the terms of their license, including the local permit(s), FirstLight shall contact them and order compliance.

IV. PROCESS PROTOCOL FOR NON PROJECT USE AND OCCUPANCY THAT MUST BE AUTHORIZED BY FERC

(a) If a proposed use or occupancy is not permissible under Article 413 and therefore must be authorized by FERC in response to a request from FirstLight, the relevant Municipality and FirstLight shall consult with each other regarding the acceptability of such use or occupancy.

(b) If FirstLight and the relevant Municipality make a preliminary determination that the proposed use or occupancy is potentially acceptable, FirstLight shall inform the prospective applicant for such use what information and other materials must be provided in order for FirstLight to further evaluate the proposed use or occupancy. FirstLight reserves its discretion to make the final decision whether to apply for FERC authorization of the proposed use or occupancy.

(c) If adequate information is provided and FirstLight continues to support a positive preliminary determination regarding the proposed use or occupancy, FirstLight shall issue a letter of filing consent to the applicant, authorizing the applicant to seek required wetland, zoning, health and building permits.

(d) If required permits are denied, FirstLight shall not petition FERC to authorize such proposed use and occupancy.
(e) If required permits are granted, FirstLight shall petition FERC for authorization and the relevant Municipality shall file with FERC a letter in support of such authorization.

(f) If FERC denies the petition for authorization, FirstLight and/or the relevant Municipality may, at its discretion, request rehearing and judicial review.

(g) If FERC issues an order granting the petition for authorization, the approved use may proceed in accordance with the terms of the FERC order.

(h) Following completion of any authorized improvements, the applicable local authority shall inspect the improvements for conformity with the terms of the local permit(s) and the license and notify the applicant and FirstLight in writing regarding compliance.

(i) Following affirmative notification from the local authority, FirstLight will conduct a follow up site inspection and affix a metal license tag to the structure.

(j) If the applicant has not complied with the terms of their local permit(s) and the license, FirstLight shall contact them and order compliance.

V. APPLICATION OF LOCAL WETLAND, ZONING, BUILDING AND HEALTH PERMIT REQUIREMENTS

(a) If an applicant does not obtain the required wetland, zoning, building and health permits for use and occupancy, FirstLight shall not approve such use or occupancy, provided that such use or occupancy is not necessary to comply with the terms of the Project license and the FPA.

(b) Local setback requirements shall be waived within the Project boundary due to the limited dimensions of Project lands.

(c) If the necessary permits for such use and occupancy are obtained and FirstLight has authority under Article 413 to authorize such use, FirstLight shall approve such use to the extent consistent with its obligations under the Project license and the FPA.

(d) As a condition of any application granted, the applicant is required to submit to inspections by local authorities.

VI. DOCKS WITHIN PROJECT BOUNDARY

(a) A" Preexisting Dock" is defined as:

i. A non-commercial dock owned by an abutting property owner, including community associations, tax districts or municipalities, that was
constructed within, or partially within, the Project boundary prior to July 1, 2008; or

ii. A non-commercial dock owned by an individual or entity who possesses an easement, or other legal right, allowing the construction and maintenance of a dock that was constructed within the Project boundary prior to July 1, 2008.

iii. A non-commercial dock owned by an individual that possesses an easement or other legal right of access to the Project that was constructed within the Project boundary prior to December 31, 2000.

(b) Preexisting Docks that do not impede navigation, present a threat to safety and health, interfere with Project operations or unduly interfere with the ability of others to properly exercise their granted rights shall be allowed to remain and can be replaced by new docks of the same location, size and configuration provided that all necessary approvals are obtained from FirstLight and the relevant local authorities.

(c) For Preexisting Docks, any non-encapsulated foam must be replaced by April 1, 2018, or sooner if the license is transferred or the dock is replaced or modified.

VII. EXISTING STRUCTURES WITHIN PROJECT BOUNDARY

(a) Preexisting non-commercial structures within the Project boundary existing as of July 1, 2008 shall be grandfathered unless such structures:

i. Present a threat to safety or health.

ii. Interfere with Project operations.

iii. Unduly interfere with the ability of others to properly exercise their granted rights.

iv. Are required to be removed by FERC.

(b) For the purposes of this Agreement, a Preexisting Structure is a:

i. A structure owned by abutting property owner(s), including community associations, tax districts and municipalities, that was constructed within the Project boundary prior to July 1, 2008.

ii. A structure owned by individual(s) who possess an easement or other legal right allowing the construction and maintenance of such structure on lands within the Project boundary and that was constructed within the Project boundary prior to July 1, 2008.

(c) New septic systems shall not be permitted on Project lands. Existing septic systems may remain in place provided they receive all necessary permits in accordance with
applicable health codes and there is no discharge of effluent into Project or other waters.

(d) Existing septic systems on lands within the Project boundary may be replaced only in accordance with applicable health codes and only if FirstLight, based on documentation provided by the septic system owner, determines that it is not practicable to relocate the system outside the Project boundary.

VIII. REGISTRATION OF PREEXISTING STRUCTURES AND PREEXISTING DOCKS WITHIN PROJECT BOUNDARY

(a) Preexisting Structures and Preexisting Docks must be registered with FirstLight and receive a license for continued use and occupancy. Preexisting Structures and Preexisting Docks will be registered by FirstLight and licenses will be issued by FirstLight without the need for the applicant to obtain the required local land use, building, wetlands and health permits for the particular Preexisting Structure or Preexisting Dock.

(b) FirstLight shall not impose a fee for the registration of Preexisting Structures or Preexisting Dock and for the issuance of a license pursuant to this Section VIII provided that the owner of the Preexisting Structure or Preexisting Dock must register the Preexisting Structures or Preexisting Dock on or before twelve (12) months following the date of FERC’s approval of those portions of the Agreement subject to its jurisdiction (“Registration Deadline”).

(c) If an individual or entity fails to register its Preexisting Structure or Preexisting Dock prior to the Registration Deadline, FirstLight will consider the Preexisting Structure or Preexisting Dock as an unregistered use that is subject to the license application process for a non-Project use of lands or waters within the Project boundary as described above in Sections III or IV, however, such failure to timely register shall not alter applicable state law pertaining to the legal status of non-conforming structures with respect to such Preexisting Structures or Preexisting Docks.

(d) If a Preexisting Structure or Preexisting Dock is being replaced or modified with regards to size, location or configuration, a new license shall be required along with all of the necessary local land use, building, wetland and health permits.

IX. ENFORCEMENT

(a) FirstLight is responsible for enforcement of the terms of this Agreement and FERC requirements as they apply to the use and occupancy of lands and waters within the Project boundary.

(b) Local land use, building, and health officials shall have permission to conduct inspections of authorized and unauthorized structures within the Project Boundary.
If an alleged violation is discovered, the local official shall report it to FirstLight. If the material violation pertains to the failure to comply with the terms of the local permit(s) or license, or pertains to an unlicensed or non-preexisting activity or structure or dock, FirstLight shall undertake action to enforce and to secure compliance. The Municipalities, their agents, employees and representatives hereby release and discharge FirstLight, its respective directors, officers, members, and FirstLight affiliates and related entities’ respective directors, officers, members, and employees from all liability, claims, demands, losses or damages related in any way or arising out of the activities of the local land use, building, and health officials as set forth herein. The Municipalities shall indemnify, save and hold harmless FirstLight from any litigation, expenses, attorney fees, loss, liability, damage, or costs which it may incur as the result of any and all claims of bodily damage or injury raised by the local land use or building officials.

(c) Local land use, building, and health officials shall conduct land use, building, and health code inspections of improvements authorized by FirstLight.

(d) Enforcement remedies available to FirstLight include trespass actions (where FirstLight owns the relevant land in fee) or the exercise of its federal right of eminent domain under Section 21 of the FPA.

(e) To the extent practicable, FirstLight shall consult with the relevant Municipality regarding enforcement issues regarding opportunities for coordinated enforcement actions.

X. DISPUTE RESOLUTION

(a) If any dispute should arise regarding this Agreement the Municipalities and FirstLight agree to utilize a non-binding dispute resolution process prior to filing a complaint at FERC or taking any other legal action such as litigation in state or federal court; provided that such requirement shall not be construed to limit any Party from timely filing and pursuing any administrative or judicial appeal.

(b) This Agreement may be amended upon mutual agreement of the Parties and subject to approval by FERC, if necessary.

XI. REVIEW AND APPROVAL BY FERC

(a) This Agreement shall be submitted by FirstLight to FERC for review.

(b) FirstLight’s compliance with the Agreement is contingent upon FERC approval of matters committed to FERC’s discretion under the FPA such as the grandfathering of Preexisting Structures and Preexisting Docks within the Project boundary.

(c) If FERC issues orders inconsistent with the terms of this Agreement, a Party may immediately withdraw from the Agreement upon written notice to other Parties.
nothwithstanding the termination notice requirements set forth in Section I of this Agreement.

XII. MISCELLANEOUS

(a) This Agreement shall be binding upon the Parties and upon their respective successors and assigns.

(b) This Agreement and the rights and duties of the parties hereunder shall be governed and construed, enforced and performed in accordance with the laws of the State of Connecticut.

(c) This Agreement may be executed in multiple counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, each of the Parties, intending to be legally bound by the provisions of this Agreement, has caused its duly authorized representatives to execute this Agreement.

[SIGNATURES]
IN WITNESS WHEREOF, each of the Parties, intending to be legally bound by the provisions of this Agreement, has caused its duly authorized representatives to execute this Agreement.

Patricia Murphy, Mayor

Date Jan 15, 09
Housatonic River Project No. 2576-100
Agreement Between FirstLight Hydro Generating Company and Local Municipalities

James A. Ginnetti
Vice President for External Affairs
FirstLight Hydro Generating Company
Housatonic River Project No. 2576-100
Agreement Between FirstLight Hydro Generating Company and Local Municipalities

Robert Silvaggi
First Selectman of Brookfield, Connecticut
Housatonic River Project No. 2576-100
Agreement Between FirstLight Hydro Generating Company and Local Municipalities

Andrea O'Connor
Andrea O'Connor
First Selectman of Sherman, Connecticut
Housatonic River Project No. 2576-100
Agreement Between FirstLight Hydro Generating Company and Local Municipalities

Mary Ann Drayton-Rogers
First Selectman of Oxford, Connecticut
Housatonic River Project No. 2576-100
Agreement Between FirstLight Hydro Generating Company and Local Municipalities

Barbara Henry
First Selectman of Roxbury, Connecticut

[Handwritten Signature]

[Stamp: RECEIVED MAR 9 5 2009]
Housatonic River Project No. 2576-100
Agreement Between FirstLight Hydro Generating Company and Local Municipalities

Ruth Epstein
First Selectman
Town of Kent
Housatonic River Project No. 2376-100
Agreement Between FirstLight Hydro Generating Company and Local Municipalities

H. William Davis
First Selectman of Southbury, Connecticut
Exhibit B

UNITED STATES OF AMERICA 107 FERC ¶ 61,305
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Pat Wood, III, Chairman;
Nora Mead Brownell, Joseph T. Kelliher,
and Suedeen G. Kelly.

Northeast Generation Services Company
Project Nos. 2576-022
and 2597-019

ORDER ISSUING NEW LICENSE
(Issued June 23, 2004)

Excerpt from above FERC Order

Article 407. Shoreline Management Plan. Within eighteen months of license issuance, the licensee shall file for Commission approval a comprehensive plan for managing reservoir shorelines and riverfront lands within the project boundary at each of the project developments.

The Shoreline Management Plan (SMP) shall provide for: (1) safe public access to shoreline and riverfront lands and waters for informal recreational and navigational use; (2) the conservation of important resource and environmental qualities surrounding the project’s shorelines and riverfront lands; and (3) the development of shoreline and riverfront areas and facilities that are consistent with both project and non-project needs and demands.

The SMP shall at a minimum include descriptions of: (1) the purpose and scope of the plan; (2) how the plan was prepared including identification of the entities involved in its preparation; (3) the licensee’s policies and guidelines on shoreline use including a shoreline-use classification system (if applicable), and associated permitting and property-conveyance procedures; and (4) any special management measures to be administered under the plan (such as a clean-marina initiative, adopt-a-shoreline program, parkland lease program, etc).

The SMP shall also describe how the plan will be implemented, including: (1) guiding prospective applicants for non-project uses of project lands in conforming their proposals to the plan’s provisions; (2) reviewing pending proposals for use of project lands to determine their consistency with the plan’s policies, classifications, prescriptions, and application requirements; and (3) monitoring existing shoreline
activities to ensure their compliance with the plan.

Further, the SMP shall include:

a) Identification of a vegetated buffer zone around reservoir shorelines and riverfront lands of up to 200 feet measured horizontally from the high water mark on lands that it owns within the project boundaries, consistent with the Commission’s regulations at 18 C.F.R. § 4.51(h)(2).

b) Identification on maps of disturbed NGS-owned lands with the potential for re-vegetation and provisions to re-vegetate these areas within the project boundaries.

c) A public education component that could include brochures, seminars, or signs to encourage the planting and/or establishment (i.e., implementation of no-cut zones along the shoreline, shoreline stabilization, buffer-zone maintenance, habitat protection and enhancement) of native species in the buffer zone by private landowners for adjoining residential property owners.

d) Identification of procedures to maintain access for recreational purposes for adjacent landowners.

e) Provisions for identifying opportunities to provide conservation easements for greenway and trail development and improved public access within the project boundary including a description of a permitting system to allow management of such easements by a qualified entity.

f) A provision to share existing digital mapping data upon request.

g) An inventory of existing shoreline development facilities (such as boat docks, marinas, landings, and bulkheads/shoreline stabilization structures) located on project lands, the conditions of the facilities, and the entity that manages the facilities (details on ownership and condition of each private dock are not necessary).

h) An inventory of aesthetic resources on project lands and lands adjacent to the project boundary and areas thought to have high aesthetic value, including vegetated shorelines and views of water.

i) Measures to control erosion from trails and parking lots and shoreline areas, and restrictions on pedestrian traffic in areas with sensitive habitats.

j) Identification of conservation restrictions or other similar protective measures on
those NGS-owned lands within the project boundary that are not already dedicated
to open space.

k) A report on the feasibility of conserving those project lands that are deemed
critical for protecting the scenic, recreational, and natural values of the project
area, as well as lands that can be used for greenway and trail development, and, as
appropriate, a plan and schedule for acquiring those easements.

l) A discussion of local government zoning and other land use regulations affecting
project resources and any coordination efforts between the licensee and local
governments about land and aesthetic conservation goals.

m) A schedule and process for periodically reviewing and updating the plan every six
years.

n) The identification of land that could be used as staging areas by local lake
associations or authorities for patrol and water quality monitoring activities.

The Shoreline Management Plan shall be prepared in consultation with the U.S.
Fish and Wildlife Service, National Park Service, Connecticut Department of
Environmental Protection, Housatonic Environmental Action League, Housatonic Valley
Council of Elected Officials, Housatonic Valley Association, Appalachian Trail
Conference, Appalachian Mountain Club, Housatonic River Commission (representing
the towns of Cornwall, Kent, New Milford, North Canaan, Salisburg, and Sharon),
Adirondack Mountain Club, American Whitewater, Trout Unlimited, Lake Lillinonah
Authority, Candlewood Lake Authority, and Lake Zoar Authority.

The licensee shall include with the plan documentation of consultation, copies of
comments and recommendations on the completed plan after it has been prepared and
provided to the consulted entities, and specific descriptions of how the entities comments
and recommendations are accommodated by the plan. The licensee shall allow a
minimum of 30 days for the entities to comment and to make recommendations before
filing the plan with the Commission. If the licensee does not adopt a recommendation,
the filing shall include the licensee’s reason’s based on project-specific information.

The Commission reserves the right to require changes to the plan. The plan shall
not be implemented until the licensee is notified by the Commission that the plan is
approved. Upon approval of the plan, the licensee shall implement the plan, including
any changes required by the Commission.
Exhibit C

UNITED STATES OF AMERICA 107 FERC ¶ 61,305
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Pat Wood, III, Chairman;
Nora Mead Brownell, Joseph T. Kelliher,
and Suedeen G. Kelly.

Northeast Generation Services Company Project Nos. 2576-022
and 2597-019

ORDER ISSUING NEW LICENSE

(Issued June 23, 2004)

Excerpt from above FERC Order

Article 413. Use and Occupancy. (a) In accordance with the provisions of this article, the licensee shall have the authority to grant permission for certain types of use and occupancy of project lands and waters and to convey certain interests in project lands and waters for certain types of use and occupancy, without prior Commission approval. The licensee may exercise the authority only if the proposed use and occupancy is consistent with the purposes of protecting and enhancing the scenic, recreational, and other environmental values of the project. For those purposes, the licensee shall also have continuing responsibility to supervise and control the use and occupancies for which it grants permission, and to monitor the use of and ensure compliance with the covenants of the instrument of conveyance for, any interests that it has conveyed, under this article.

If a permitted use and occupancy violates any condition this article or any other condition imposed by the licensee for protection and enhancement of the project's scenic, recreational, or other environmental values, or if a covenant of a conveyance made under the authority of this article is violated, the licensee shall take any lawful action necessary to correct the violation. For a permitted use and occupancy, that action includes, if necessary, canceling the permission to use and occupy the project lands and waters and requiring the removal of any non-complying structures and facilities.

(b) The type of use and occupancy of project lands and water for which the licensee may grant permission without prior Commission approval are:
(1) landscape plantings;
(2) non-commercial piers, landings, boat docks, or similar structures and facilities that can accommodate no more than 10 watercraft at a time and where said facility is intended to serve single family type dwellings;
(3) embankments, bulkheads, retaining walls, or similar structures for erosion control to protect the existing shoreline; and
(4) food plots and other wildlife enhancement.

To the extent feasible and desirable to protect and enhance the project's scenic, recreational, and other environmental values, the licensee shall require multiple use and occupancy of facilities for access to project lands or waters. The licensee shall also ensure, to the satisfaction of the Commission's authorized representative, that the use and occupancies for which it grants permission are maintained in good repair and comply with applicable state and local health and safety requirements. Before granting permission for construction of bulkheads or retaining walls, the licensee shall:

(1) inspect the site of the proposed construction;
(2) consider whether the planting of vegetation or the use of riprap would be adequate to control erosion at the site; and
(3) determine that the proposed construction is needed and would not change the basic contour of the reservoir shoreline.

To implement this paragraph (b), the licensee may, among other things, establish a program for issuing permits for the specified types of use and occupancy of project lands and waters, which may be subject to the payment of a reasonable fee to cover the licensee's costs of administering the permit program. The Commission reserves the right to require the licensee to file a description of the standards, guidelines, and procedures for implementing this paragraph (b) and to require modification of those standards, guidelines, or procedures.

(c) The licensee may convey easements or right-of-way across, or leases of, project lands for:
(1) replacement, expansion, realignment, or maintenance of bridges or roads where all necessary state and federal approvals have been obtained;
(2) storm drains and water mains;
(3) sewers that do not discharge into project waters;
(4) minor access roads;
(5) telephone, gas, and electric utility distribution lines;
(6) non-project overhead electric transmission lines that do not require erection of support structures within the project boundary;
(7) submarine, overhead, or underground major telephone distribution cables or major electric distribution lines (69 kV or less); and
(8) water intake or pumping facilities that do not extract more than one million gallons per day from a project reservoir.

No later than January 31 of each year, the licensee shall file three copies of a report briefly describing for each conveyance made under this paragraph (c) during the
prior calendar year, the type of interest conveyed, the location of the lands subject to the conveyance, and the nature of the use for which the interest was conveyed.

(d) The licensee may convey fee title to, easements or rights-of-way across, or leases of project lands for:

1. construction of new bridges or roads for which all necessary state and federal approvals have been obtained;
2. sewer or effluent lines that discharge into project waters, for which all necessary federal and state water quality certification or permits have been obtained;
3. other pipelines that cross project lands or waters but do not discharge into project waters;
4. non-project overhead electric transmission lines that require erection of support structures within the project boundary, for which all necessary federal and state approvals have been obtained.
5. private or public marines that can accommodate no more than 10 watercraft at a time and are located at least one-half mile (measured over project waters) from any other private or public marina;
6. recreational development consistent with an approved Exhibit R or approved report on recreational resources of an Exhibit E;
7. other uses, if: (i) the amount of land conveyed for a particular use is five acres or less; (ii) all of the land conveyed is located at least 75 feet, measured horizontally, from project waters at normal surface elevation; and (iii) no more than 50 total acres of project lands for each project development are conveyed under this clause (d)(7) in any calendar year.

At least 60 days before conveying any interest in project lands under this paragraph (d), the licensee must submit a letter to the Director, Office of Energy Projects, stating its intent to convey the interest and briefly describing the type of interest and location of the lands to be conveyed (a marked Exhibit G or K map may be used), the nature of the proposed use, the identity of any federal or state agency official consulted and any federal or state approvals required for the proposed use. Unless the Director, within 45 days from the filing date requires the licensee to file an application for prior approval, the licensee may convey the intended interest at the end of that period.

(e) The following additional conditions apply to any intended conveyance under paragraph (c) or (d) of this article:

1. Before conveying the interest, the licensee shall consult with federal and state fish and wildlife or recreation agencies, as appropriate, and the State Historic Preservation Officer.
2. Before conveying the interest, the licensee shall determine that the proposed use of the lands to be conveyed is not inconsistent with any
approved Exhibit R or approved report on recreational resources of an Exhibit E; or, if the project does not have an approved Exhibit R or approved report on recreational resources, that the lands to be conveyed do not have recreational value.

(3) The instrument of conveyance must include the following covenants running with the land: (i) the use of the lands conveyed shall not endanger health, create a nuisance, or otherwise be incompatible with overall project recreational use; (ii) the grantee shall take all reasonable precautions to ensure that the construction, operation, and maintenance of structures or facilities on the conveyed lands will occur in a manner that will protect the scenic, recreational, and environmental values of the project, and (iii) the grantee shall not unduly restrict public access to project waters.

(4) The Commission reserves the right to require the licensee to take reasonable remedial action to correct any violation of the terms and conditions of this article, for the protection and enhancement of the project's scenic, recreational, and other environmental values.

(f) The conveyance of an interest in project lands under this article does not in itself change the project boundaries. The project boundaries may be change to exclude land conveyed under this article only upon approval of revised Exhibit G or K drawings (project boundary maps) reflecting exclusion of that land. Lands conveyed under this article will be excluded from the project only upon a determination that the lands are not necessary for project purposes, such as operation and maintenance, flowage, recreation, public access, protection of environmental resources, and shoreline control, including shoreline aesthetic values. Absent extraordinary circumstances, proposal to exclude lands conveyed under this article from the project shall be consolidated for consideration when revised Exhibit G or K drawings would be filed for approval for other purposes.

(g) The authority granted to the licensee under this article shall not apply to any part of the public lands and reservations of the United States included within the project boundary.
Vegetated Buffer Zone Map
Shepaug Development
Lake Lillinonah

- Town Boundary
- 50 Foot Vegetated Buffer
- 200 Foot Vegetated Buffer
- Project Boundary

*In those instances where the Project Boundary is equal to mean high water, no vegetated buffer zone is identified.

Data Source:
Connecticut Department of Environmental Protection
Northeast Utilities
July, 2006
Candlewood Lake Study Area

Map prepared by www.conservect.org/northwest

Data Source:
Connecticut Department of Environmental Protection
Northeast Utilities
Candlewood Lake Authority

July, 2006

Housatonic River Project P - 2576
Shoreline Management Plan - Exhibit D
Vegetated Buffer Zone Map
Rocky River Development
Candlewood Lake

*In those instances where the Project Boundary is equal to mean high water, no vegetated buffer zone is identified.
EXHIBIT E

ENFORCEMENT

FirstLight reserves the right to impose enforcement fees and otherwise exercise its rights on any person or entity for any unauthorized use or occupancy of lands or waters within the Project boundary, including failure to register and/or license an existing or new use, and violation of any license, permit, SMP, Project license or Federal Power Act (FPA) requirement.

Such enforcement rights may also include the recovery of FirstLight legal costs related to enforcement.

FIRSTLIGHT ENFORCEMENT RIGHTS

• As described in Article 413, FirstLight shall take any lawful action necessary to correct the violation including but not limited to:
  o Trespass actions (where FirstLight owns the relevant land).
  o Exercise of federal right of eminent domain under Sec. 21 of the FPA.
  o Removal of unauthorized structures (cost of doing so recovered from abutting landowner).
  o Suspension and/or cancellation of any approved use or occupancy.
  o Bar from receiving any future license for any non-Project use for a period of years.
  o Recovery of enforcement related legal costs.

ENFORCEMENT FEE SCHEDULE

• Unauthorized use or occupancy of lands or waters within the Project boundary: A one-time charge of up to $1,000 per violation for an initial violation and up to $1,000 per violation per month for continuing violations.
• Failure to register and/or license an existing or new use, violation of any license, permit, SMP, Project license or FPA requirement may result in a one-time charge of up to $1,000 per violation for an initial violation and up to $1,000 per violation per month for continuing violations.
• Abandoned/Derelict Dock Fee: $2,000.
Exhibit F -Boat Dock Guidelines

The following guidelines shall apply to all new and modified replacement dock structures and shall be implemented in compliance with the Land Use Agreement, the SMP, Article 413 and other applicable requirements.

a) Residential Docks of Simple Construction (floating platform, cantilevered and pier type docks):

I. **Quantity:** One (1) boat dock per Abutting Property Owner that does not exceed four hundred (400) square feet of contiguous floating platform.

II. **Use:** All docks and boat slips are for the private, non-commercial use of Abutting Property Owners for the securing of not more than two (2) registered vessels and/or (2) registered personal watercrafts. A “boat lift system” designed to raise a vessel or watercraft as noted above, out of the water when the vessel or watercraft is not in active use is considered a boat slip. Vessels or watercrafts attached to such a system count toward the total of the two registered vessels and/or two registered watercrafts permitted. Non-registered boats such as canoes, rowboats, sailboats and kayaks can be secured at the dock or on shore.

III. **Setback requirement:** A minimum of fifteen (15) foot setback from either side lot line projection into the waterway shall be required, unless a narrower setback is specifically permitted by FLPR and the Municipality.

IV. **Materials:** Surface materials for new and replacement docks, floats, catwalks and stairs should be constructed of materials that are naturally rot resistant, such as cedar, pressure treated lumber, metal, or synthetic composite materials.

V. **Flotation:** Flotation materials used in new and replacement docks must be completely enclosed to prevent the materials from being chewed by animals, from breaking apart, or from floating away. The enclosure material used must be impact resistant, puncture-proof, and non-corrosive.

VI. **Securing:** Docks shall have no permanent structural contact with the submerged land, and placement shall not require excavation of submerged land.

VII. **Bulkheads:** Docks shall be securely anchored to a concrete formed bulkhead or other masonry structure with detachable hardware.

VIII. **Maximum length:** A dock shall extend no further than 40’ into project waters and/or have the minimum length necessary to dock a boat in four feet of water whichever is shorter. The depth will be measured from the normal operating level with the measurement obtained at the shoreline side edge of the dock opposite the shoreline. Under no circumstances may the dock extend out into a bay or narrow part of the lake greater than 1/3 of the width of the opening of the bay or narrow, nor shall it impose any type of navigational hazard.

IX. **Configurations:** Docks shall be designed so as to secure two (2) registered vessels and two (2) registered personal watercrafts. Docks and stairs shall not have permanent roofs, second stories, or electrical utilities.
X. **Catwalks:** Shall not exceed four (4) feet in width and shall be fastened to approved secure bulkheads on the shoreline so as to minimize any disturbance to the existing shoreline.

XI. **Tagging:** Upon final inspection FLPR will issue a permit tag which must be permanently placed on the dock in a location visible from the water.

b) **Community Docks and Appurtenant Structures:**

i. **Use:** All docks and boat slips are for the private, non-commercial use of the community members and their invited guests only. The size and location of all docks are limited to the existing dock system configuration. Any changes are subject to review and approval by FLPR and the applicable municipality in compliance with the Land Use Agreement, the SMP, Article 413 and other applicable requirements.

ii. **Materials:** Surface materials for new and replacement docks, floats, catwalks and stairs should be constructed of materials that are naturally rot resistant, such as cedar, pressure treated lumber, metal, or synthetic composite materials.

iii. **Flotation:** Flotation materials used in new and replacement docks must be completely enclosed to prevent the materials from being chewed by animals, from breaking apart, or from floating away. The enclosure material used must be impact resistant, puncture-proof, and non-corrosive.

iv. **Securing:** Docks shall have no permanent structural contact with the submerged land, and placement shall not require excavation of submerged land.

v. **Bulkheads:** Docks shall be securely anchored to a concrete formed bulkhead or other masonry structure with detachable hardware.

vi. **Configurations:** Docks shall be designed so as to secure registered vessels and/or registered personal watercrafts. One empty slip may remain open for temporary docking of invited guests. Docks and stairs shall not have permanent roofs, second stories, or electrical utilities.

vii. **Replacement:** Docks that replace existing structures must have FLPR approval. Docks shall, adhere to the guidelines contained herein with regard to materials, and configuration, and may be subject to additional requirements set forth by the Municipality and or FLPR pursuant to the Land Use Agreement, the SMP, Article 413 and other applicable requirements.

viii. **Tagging:** Upon final inspection FLPR will issue a permit tag which must be permanently placed on the dock in a location visible from the water.
## Exhibit G

### Shoreline Designation Description

<table>
<thead>
<tr>
<th>Classification</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Lands</td>
<td>Lands within the Project Boundary characterized by commercial uses, including marinas. These lands shall be managed to allow for continued commercial use.</td>
</tr>
<tr>
<td>Conservation Lands</td>
<td>Currently undeveloped lands within the Project Boundary that will be managed for environmental protection and conservation, in order to protect important natural and cultural resource values such as fish and wildlife habitat, open space, and/or aesthetic resources.</td>
</tr>
<tr>
<td>Developed Recreational Lands</td>
<td>Lands within the Project Boundary currently providing access to the recreational public, including Municipal, State and Project recreational facilities</td>
</tr>
<tr>
<td>Privately Owned Undeveloped Lands</td>
<td>Currently undeveloped lands within the Project Boundary that shall be managed as open space, but may be converted to residential or other uses depending on the desires of the land owner and applicable local regulatory bodies. These lands are candidates for voluntary conservation restrictions.</td>
</tr>
<tr>
<td>Project Operation Lands</td>
<td>Lands within the Project Boundary dedicated to project operations including generation facilities, switchyards, transmission lines and other activities.</td>
</tr>
<tr>
<td>Residential Lands</td>
<td>Lands within the Project Boundary characterized by existing or potential future waterfront development such as docks, seawalls and retaining walls.</td>
</tr>
</tbody>
</table>
Housatonic River Project P-2576
Shoreline Management Plan - Exhibit H

Legend
- Appalachian Trail
- Appalachian Trail Shelter
- Project Boundary
- Federal Open Space
- State Open Space
- Local Open Space
- or Land Trust
- NGC Owned
- Scenic Easement

Shoreline Classification
- Conservation Land
- Developed Recreation
- Project Operations

Map prepared by
www.conservect.org/northwest
February, 2006
Housatonic River Project P-2576
Shoreline Management Plan - Exhibit H

Legend
- Appalachian Trail
- Project Boundary
- Federal Open Space
- State Open Space
- Local Open Space
- Parks and trails
- NGC Owned
- Dam

Shoreline Classification
- Conservation Land
- Developed Recreation
- Project Operations

Data Sources:
- All other data provided by Northeast Utilities
- Northeast Utilities

Falls Village Study Area

Legend
- Appalachian Trail
- Project Boundary
- Federal Open Space
- State Open Space
- Local Open Space
- Parks and trails
- NGC Owned
- Dam

Shoreline Classification
- Conservation Land
- Developed Recreation
- Project Operations

February, 2006
Exhibit I

Responsibilities of the LAC and RAC

The Lake Advisory Committee (LAC) and River Advisory Committee (RAC) shall serve as forums for discussions of ongoing activities associated with the SMP and Recreation Management Plan (RMP). The LAC and RAC will meet, at a minimum, on an annual basis for the first three years after approval of the SMP, after the first three years FirstLight shall determine if further meetings will be required prior to the review, update and submission of any necessary changes to the SMP and/or filing of a FERC Form 80, every six years.

Each time the LAC and RAC meet FirstLight will create an agenda, schedule and host the LAC and RAC meetings. No later than thirty days prior to the annual meeting, FirstLight shall distribute an agenda to stakeholders and will entertain timely suggestions of additional issues to be addressed at the meeting. No later than 60 days following a meeting, FirstLight shall create minutes and a report, solicit comments from committee members and then submit the final report to the FERC. LAC and RAC members may provide comments to FirstLight concerning the SMP and RMP; however, neither the LAC nor RAC shall have the authority to alter the plans.

FirstLight will, in its sole discretion, make any final decision regarding SMP, RMP and its revision, subject to any necessary FERC approvals. Each agency or stakeholder group on the LAC and RAC will upon request declare its representative to FirstLight and provide contact information.

Responsibilities of the LAC and RAC shall include:

- Providing input and recommendations on the integration of the SMP with the RMP;
- Providing input and recommendations on recreational conflicts and possible solutions;
- Providing information that aids FirstLight in prioritizing and making resource decisions;
- Presenting information that will help solve a particular problem or key issue;
- Providing recreational use monitoring data associated with FERC Form 80 requirements;
- Providing input on any necessary updates to the SMP and RMP;
- Providing input and recommendations on the selection of targeted re-vegetation sites;
- Reviewing and providing comments on FirstLight’s educational materials;
- Providing input on future recreational enhancements; and,
- Assisting in the identification of lands suitable for conservation.
LAC and RAC Agency and Stakeholder Groups to be represented:

The LAC will include the following:

- U.S. Fish and Wildlife Service; (One Representative)
- National Park Service; (One Representative)
- Connecticut Department of Environmental Protection; (One Representative)
- Lake Lillinonah Authority; (One Representative)
- Candlewood Lake Authority; (One Representative)
- Lake Zoar Authority; (One Representative)
- Municipal Representatives; (One Representative appointed by each Chief Elected Official)
- FirstLight Power Resources; (One Representative)
- Lakefront Property Owner Representatives;
  - Lake Candlewood; (Two Representatives appointed by Chief Elected Officials)
  - Squantz Pond; (One Representative appointed by Chief Elected Officials)
  - Lake Zoar; (One Representative appointed by Chief Elected Officials)
  - Lake Lillinonah; (One Representative appointed by Chief Elected Officials)
- Others may be invited at the discretion of FirstLight

The RAC members will include the following:

- U.S. Fish and Wildlife Service; (One Representative)
- National Park Service; (One Representative)
- Connecticut Department of Environmental Protection; (One Representative)
- Housatonic Environmental Action League; (One Representative)
- Housatonic Valley Council of Elected Officials; (One Representative)
- Housatonic Valley Association; (One Representative)
- Appalachian Trail Conference; (One Representative)
- Appalachian Mountain Club; (One Representative)
- Housatonic River Commission (representing the towns of Cornwall, Kent, New Milford, Canaan, North Canaan, Salisbury, and Sharon); (One Representative)
- Adirondack Mountain Club; (One Representative)
- American Whitewater; (One Representative)
- Trout Unlimited; (One Representative)
- FirstLight Power Resources; (One Representative)
- Others may be invited at the discretion of FirstLight