

TREE, DEBRIS OR DERELICT DOCK REMOVAL INSTRUCTIONS AND CHECKLIST

FirstLight Power Resources (FirstLight) holds a license from the Federal Energy Regulatory Commission (“**FERC**”) for Housatonic River Project No. 2576 (the “**Project**”). As a condition of its license to generate power, **Housatonic River Project License P-2576 (Project License)**, FirstLight has an obligation to permit uses and occupancies of Project lands and waters. This area is delineated by a geographic boundary (**Project boundary**) which is defined in Exhibit G of the License. Article 413 of the Project License requires FirstLight to regulate the non-project use and occupancies within the Project boundary. Non-project uses and occupancies must be consistent with the purposes of protecting and enhancing the scenic, recreational, and other environmental values of the project. To that end, FirstLight submitted a **Shoreline Management Plan (“SMP”)**, which was approved by the FERC on March 27, 2013; with subsequent FERC approval of the Vegetated Buffer Plan on November 17, 2014 and approval of the Boat Overcrowding Plan on November 20, 2014. The Non-Conforming Structure Report for the Rocky River development, Candlewood Lake, was approved by the FERC on June 22, 2015. Permits are required for all existing shoreline uses and occupancies, as well as any proposed repairs, modifications or new uses.

The SMP and additional information and forms are available at:

www.firstlightpower.com

THIS APPLICATION FORM MAY BE USED TO:

Request the Removal, by FirstLight, of a tree(s) that potentially poses a substantial risk of injury or damage to private property.

Request a Permit for the Removal of a tree(s) that potentially poses a substantial risk of injury or damage to private property.

Request the Removal, by FirstLight of Debris or Derelict Dock(s).

Request a Permit for the Removal Of Debris or Derelict Dock(s).

Tree(s): The removal of any trees or understory vegetation on FirstLight’s lands and waters must be approved by FirstLight. Prior to considering the removal of a tree(s) Lake Residents should refer to the FirstLight’s INFORMATIONAL SHEET: TREE ASSESSMENT AND WOODY DEBRIS FAQ and the CT DEEP’s “Large Woody Debris Fact Sheet”. The issuance of a Permit for vegetation removal may be subject to the establishment of a comprehensive plan and schedule to install a compliant vegetated buffer. FirstLight’s Shoreline Management Manual, A Homeowner’s Guide to Shoreline Stabilization and Vegetated Buffers provides guidance on Vegetated Buffer Zones and the preservation and enhancement of Vegetated Buffer Areas as required with in the Shoreline Management Plan.

Debris: FirstLight will endeavor to secure or remove fallen trees or other natural woody debris that has become dislodged from the shoreline. In the case of trees that have fallen and are impeding swimming or boating access of an abutting home owner, the home owner may apply for a permit to cut back the tree or to remove or relocate the trunk and limbs of the tree. For more information on fallen trees and large woody debris applicants should refer to FirstLight’s INFORMATIONAL SHEET: TREE ASSESSMENT AND WOODY DEBRIS FAQ and the CT DEEP’s “Large Woody Debris Fact Sheet”.

www.firstlightpower.com

<http://www.ct.gov/deep/lib/deep/fishing/restoration/largewoodydebrisfactsheet.pdf>

If a fallen tree or other debris presents a navigational hazard, the appropriate lake authority and/or the CT DEEP should be contacted.

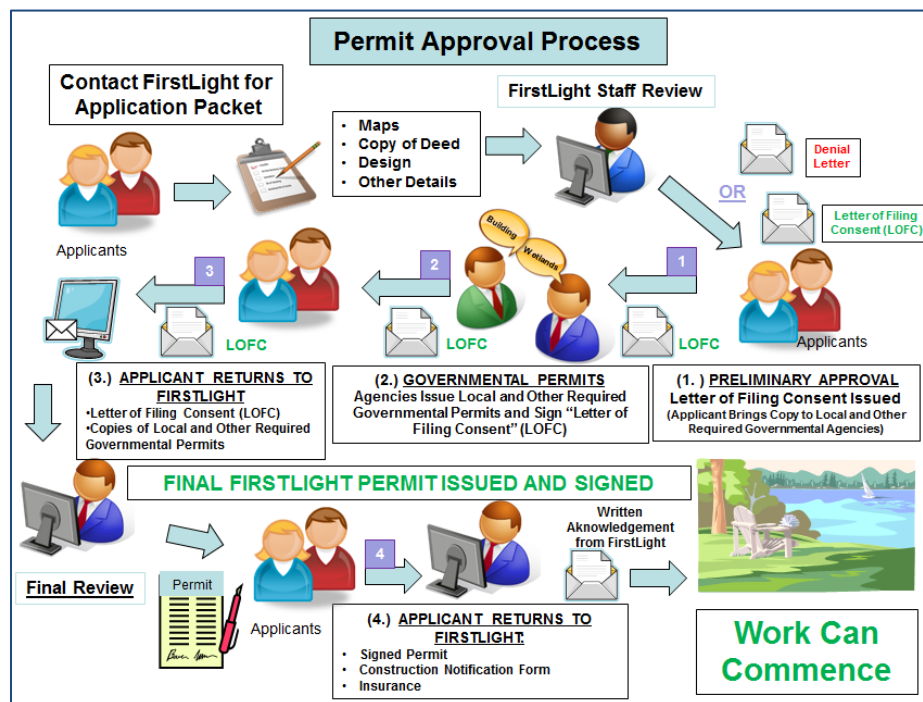
FirstLight Power Resources ○ Land Management Department ○ PO Box 5002 ○ New Milford, CT 06776

Tel. 860-350-3294 ○ Fax 860-350-3987 ○ email lake.permits@firstlightpower.com

www.firstlightpower.com

Derelict Dock(s): FirstLight will endeavor to secure, remove and/or dispose of derelict docks that break loose or cause a hazard to navigation. All entities shall be responsible for maintaining their docks in safe working condition. If a dock is removed or replaced, the old dock must be disposed of properly. If a derelict dock owner can be identified, they will be charged an enforcement fee plus the cost of recovering and disposing of the dock and may be subject to loss of a permit or enforcement fees if there is evidence the dock was purposefully released into the lake.

Applicants with Permit requests for all other uses should use FirstLight Permit: Shoreline Application Form for Non-Project Uses and Occupancies.



FirstLight will issue a Letter of Filing Consent (LOFC) for any requests requiring additional approvals from federal, state, or municipal agencies. This letter must be signed by the applicable agencies and returned to FirstLight, for final review and approval prior to the issuance of a FirstLight Permit

***** MEETINGS AND SITE VISITS BY APPOINTMENT ONLY *****

No activities may occur on lands and waters within the Project boundary without the final review and approval by FirstLight through the issuance of a Permit. Failure to obtain a Permit will result in FirstLight's exercise of its enforcement policies as defined in the SMP-Exhibit E.

TREE REMOVAL REQUEST INSTRUCTIONS AND CHECKLIST

All of the information in the applicable checklist must be supplied to FirstLight in order for FirstLight.

A. If you are requesting that FirstLight remove a tree(s):

- ☐ Mark or flag the tree(s) by wrapping the tree(s) trunk with brightly colored pink plastic survey tape so that it is visible from project waters and/or access points on land.*
- ☐ Complete the request.
- ☐ Provide a photograph(s) of the tree(s) that are being requested to be removed.
- ☐ Provide a drawing or location map showing the location of the tree(s) that are being requested to be removed.
- ☐ Indicate if you are requesting a permit to remove the debris from the felled tree. The method of removal should be indicated. If you are hiring a contractor the required insurance must be provided by your contractor (see **C. Insurance**)
- ☐ If requested, provide a CT Licensed Arborist written report describing tree(s), with species, approximate size, risk assessment and reason for removal.

B. If you are requesting a permit to remove a tree(s):

- ☐ Mark or flag the tree(s) by wrapping the tree(s) trunk with brightly colored pink plastic survey tape so that it is visible from project waters and/or access points on land.*
- ☐ Complete the request form.
- ☐ Provide a photograph(s) of the tree(s) that are proposed to be removed.
- ☐ Provide a drawing or location map showing the location of the tree(s) that are being proposed to be removed.
- ☐ Indicate means of access.
- ☐ Indicate if debris from tree will be removed from the area and method of removal.
- ☐ Provide a CT Licensed Arborist report describing tree(s), with species, approximate size, risk assessment and reason for removal.
- ☐ If you are hiring a contractor the required insurance must be provided by your contractor. (see C. Insurance)

*** If a tree potentially poses an immediate and substantial risk, do not enter the area.**

C. Insurance:

- ☐ Insurance: If you are using or are performing work on project lands and waters pursuant to a Permit from FirstLight and are a Commercial Entity, Homeowners Association, or Municipality, you must provide evidence of at least the following insurance coverage:
 - a. Commercial or general liability insurance with limits of at least \$1 million per occurrence/per aggregate for bodily injury and \$1 million per occurrence/per aggregate for property damage.
 - b. All policies shall be endorsed to FirstLight Hydro Generating Company and FirstLight Power Resources Services, LLC and name, their directors, officers, employees and affiliates as additional insured, with respect to any and all third party bodily injury and/or property damage; and require that thirty (30) days written notice be given to FirstLight prior to any cancellation or material change in the policy.
 - c. A current certificate must be in place and a copy provide to FirstLight prior to any work commencing.
 - d. All insurance certificates must be provided annually to FirstLight no later than the first week of January.

DEBRIS OR DERELICT DOCK REMOVAL REQUEST CHECKLIST

All of the information in the applicable checklist must be supplied to FirstLight.

DEBRIS OR DERELICT DOCK(S) REMOVAL REQUEST CHECKLIST:**A. If you are requesting that FirstLight remove debris or a derelict dock(s):**

- ☐ Safely secure any debris or derelict dock(s) to the shoreline. **
- ☐ Mark or flag the debris or dock(s) so that it is visible from project waters and/or access points on land.
- ☐ Complete this form, FirstLight Debris or Derelict Dock Removal Request.
- ☐ Provide a photograph(s) of the shoreline and dock(s) that are being requested to be removed.
- ☐ Provide a location map showing the lake address and location of the debris or dock(s) that are being requested to be removed.

B. If you are requesting a permit to remove a derelict dock(s):

- ☐ Safely secure any debris or derelict dock(s) to the shoreline. **
- ☐ Mark or flag the debris or dock(s) so that it is visible from project waters and/or access points on land.
- ☐ Complete this form, FirstLight Debris or Derelict Dock Removal Request.
- ☐ Provide a photograph(s) of the shoreline and debris or dock(s) that are being requested to be removed.
- ☐ Provide a location map showing the lake address and location of the debris or dock(s) that are being proposed to be removed.
- ☐ Indicate means of access.
- ☐ If you are hiring a contractor the required insurance must be provided by your contractor (see **C. Insurance**)

**** If a fallen tree, dock, or other debris potentially poses a navigational hazard, the appropriate lake authority and/or the CT DEEP should be contacted.**

C. Insurance:

- ☐ Insurance: If you are using or are performing work on project lands and waters pursuant to a Permit from FirstLight and are a Commercial Entity, Homeowners Association, or Municipality, you must provide evidence of at least the following insurance coverage:
 - a. Commercial or general liability insurance with limits of at least \$1 million per occurrence/per aggregate for bodily injury and \$1 million per occurrence/per aggregate for property damage.
 - b. All policies shall be endorsed to FirstLight Hydro Generating Company and FirstLight Power Resources Services, LLC and name, their directors, officers, employees and affiliates as additional insured, with respect to any and all third party bodily injury and/or property damage; and require that thirty (30) days written notice be given to FirstLight prior to any cancellation or material change in the policy.
 - c. A current certificate must be in place and a copy provide to FirstLight prior to any work commencing.
 - d. All insurance certificates must be provided annually to FirstLight no later than the first week of January.

**Housatonic River Project FERC 2576**

Application

TREE, DEBRIS OR DERELICT DOCK REMOVAL REQUEST (rev. 6-7-16)**TREE, DEBRIS, OR DERELICT DOCK REMOVAL REQUEST FORM****Lake or Waterfront Address**

Lake Name or Project Name (Please Check Only One)			HRP ID:		
<input type="checkbox"/> Candlewood	<input type="checkbox"/> Lillinonah	<input type="checkbox"/> Zoar	<input type="checkbox"/> Bulls Bridge	<input type="checkbox"/> Falls Village	<input type="checkbox"/> Other
No:	Street Name:		Town:	State:	Zip Code:

Applicant's Contact and Mailing Information (Attach additional information as needed)

Owner 1	Title:	First Name:	Last Name:		
Owner 2	Title:	First Name:	Last Name:		
Other:					
No:	Street Name:		Apt. #	Town:	State: Zip Code:
Email 1:			Email 2:		
Daytime Phone:		Business Phone:		Cell Phone:	

Authorized Agent/Contractor Contact and Mailing Information

Company name:		First Name:		Last Name:	
No:	Street Name:		Apt. #	Town:	State: Zip Code:
Email 1:			Email 2:		
Daytime Phone:		Business Phone:		Cell Phone:	

☐ **Letter of Authorization, signed by the Applicant(s) Provided (please attach)**☐ **Insurance Provided if performing work.(please attach Acord Certificate with endorsements)*****Additional Contractor Contact and Mailing Information**

Company name:		First Name:		Last Name:	
No:	Street Name:		Apt. #	Town:	State: Zip Code:
Email 1:			Email 2:		
Daytime Phone:		Business Phone:		Cell Phone:	

☐ **Insurance Provided if performing work.(please attach Acord Certificate with endorsements)**

If you are using or are performing work on project lands and waters pursuant to a Permit from FirstLight and are a Commercial Entity, Homeowners Association, or Municipality, you must provide evidence of at least the following insurance coverage:

- Commercial or general liability insurance with limits of at least \$1 million per occurrence/per aggregate for bodily injury and \$1 million per occurrence/per aggregate for property damage.
- All policies shall be endorsed to FirstLight Hydro Generating Company and FirstLight Power Resources Services, LLC and name, their directors, officers, employees and affiliates as additional insured, with respect to any and all third party bodily injury and/or property damage; and require that thirty (30) days written notice be given to FirstLight prior to any cancellation or material change in the policy.
- A current certificate must be in place and a copy provide to FirstLight prior to any work commencing.
- All insurance certificates must be provided annually to FirstLight no later than the first week of January.

INSURANCE MAY BE PROVIDED WHEN THE CONSTRUCTION NOTIFICATION FORM IS SUBMITTED

Please submit application and associated material to: lake.permits@firstlightpower.com

or

Mail to: FirstLight, PO Box 5002, New Milford, CT 06776, Attn. Land Management

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FirstLight Power Resources o Land Management Department o PO Box 5002 o New Milford, CT 06776
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TREE(S) REMOVAL REQUEST (please indicate all applicable requests being applied for)☐ **Request to have FirstLight remove a Tree(s) that potentially poses a substantial risk.**

If FirstLight removes the tree(s) all debris from the removal will be left in the area. Stumps and roots will not be removed nor, in most cases, permitted to be removed. Through the issuance of a permit, the applicant may be granted the right to remove other debris from the tree removal such as the trunk and limbs. Expenses for removal of the debris and restoration will be the responsibility of the applicant.

☐ **Permit Request to remove a Tree(s) that potentially poses a substantial risk.**

If approved by FirstLight, a permit will be issued to the applicant for the removal of the tree and for disposal of debris from the removal of the tree. In most cases the removal of the stump and roots will not be permitted. All costs for the removal, associated activities, and restoration will be the responsibility of the applicant.

Note: If a tree is removed at FirstLight's expense, FirstLight reserves the right to seek reimbursement for the cost of the tree removal and any other associated costs if the decline or death of the tree has been determined to be caused by non-project uses and occupancies (permitted or unpermitted), any other non-project activities occurring on FirstLight's lands and waters, and/or past trimming practices, landscape maintenance, disturbance.

Derelict Dock Removal Request (please indicate all applicable requests being applied for)☐ **Request to have FirstLight remove Debris or a Derelict Dock(s).**☐ **Permit Request to Remove Debris or a Derelict Dock (s).**

Note: If a derelict dock is removed at FirstLight's expense, and the owner of the derelict dock can be identified, the owner of the dock 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. (SMP-Exhibit E; Abandoned Derelict Dock Enforcement Fee \$2,000.00)

I the undersigned applicant, the abutting property owner or authorized agent, certify that I possess the authority to complete this application. I understand and acknowledge that the Housatonic River Project P-2576 is under the jurisdiction of the United States Government and its agencies, and that if a permit is granted it will be subject to all the restrictions and requirements that are or may be issued by the United States Government and FirstLight Hydro Generating Company as its Licensee. The undersigned hereby applies for approval for the permit request indicated within this application and declares that the statements contained herein and in all accompanying documents and/or drawings are, to the best of his/her knowledge and belief, true and accurate as presented. Further, as abutting property owner the undersigned hereby grants permission to FirstLight and other authorized representatives to enter through abutting lands of the subject property to lands within the Project Boundary, for the purposes of reviewing the application, inspection, and enforcement under the provisions of Housatonic River Project P-2576. The undersigned acknowledges FirstLight's decision on the application is based on the information provided by the abutting owner and/or authorized agent, and if the information proves to be false, deceptive, incomplete or inaccurate, the permit may be modified, suspended or revoked. This agreement shall be binding on the heirs, assigns, successors, executors, administrators and legal representatives of the undersigned. I further understand and acknowledge that FirstLight Hydro Generating Company assumes no responsibility or liability for any uses, structures or activities, described within this permit application, or for any damage caused by the operation for the Project.

I further understand that there are inherent risks involved in any uses or activities or arising from any structures which are authorized in any permit issued by FirstLight pursuant to this Application, including the risk of serious physical injury or death, and I fully assume all risks associated with any such uses or activities or arising from structures even if due to the NEGLIGENCE of FirstLight, its affiliates, officers, directors, agents, servants and employees.

I, for myself, my heirs, assigns, successors, executors, administrators and legal representatives, hereby release and agree that I will not sue FirstLight, its affiliates, officers, directors, agents, servants and employees, for money damages for personal injury or property damage sustained by me while engaging in such uses or activities or arising from such structures even if due to the NEGLIGENCE of FirstLight, its affiliates, officers, directors, agents, servants and employees.

Applicant Signature (required): _____ **Date:** _____

Authorized Agents Signature (if different from owner): _____ **Date:** _____

This [TREE, DEBRIS OR DERELICT DOCK REMOVAL REQUEST] may be executed and delivered by facsimile or other electronic signature and in multiple counterparts, each of which shall be deemed an original.

FirstLight Power Resources ○ Land Management Department ○ PO Box 5002 ○ New Milford, CT 06776

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Within the SMP there is a requirement for the preservation and establishment of Vegetated Buffer Areas. The removal of trees and understory vegetation must be approved by FirstLight. This removal is usually considered under a comprehensive review of an application for non-project uses and occupancies. A native vegetation plan is an important component of that application. Abutting homeowners can refer to the **FirstLight’s “Shoreline Management Manual, A Homeowner’s Guide to Shoreline Stabilization and Vegetated Buffer Zones”** for additional information on vegetated buffers and developing a native vegetation plan. In the case of a tree(s) that are requested to be approved for removal because an abutting homeowner is concerned they may potentially present a substantial risk of injury or private property damage, a request for a permit may be made using the TREE, DEBRIS OR DERELICT DOCK REMOVAL REQUEST form. Under certain circumstances FirstLight will fall a tree that has been determined to be a substantial risk. FirstLight requires that this determination be based on a Tree Risk Assessment performed by a professional arborist licensed in the State of Connecticut.

Why should we have trees along the shoreline?

Trees along the shoreline provide many aesthetic, environmental and natural resource values including; providing cooling shade, habitat for both aquatic and terrestrial animal species, aiding in bank stability, intercepting rain, promoting rainwater infiltration and reducing soil erosion. Preserving mature trees, encouraging the regrowth of desirable saplings, and maintaining the native existing understory will help stabilize the shoreline and reduce the need for costly future bank stabilization projects. Even leaning trees along a shoreline can stabilize a shoreline.

When is a tree considered to present a substantial risk?

A CT Licensed Arborist has been trained to evaluate trees to assess whether they are dead or diseased and may provide recommendations based on that assessment. In some cases, recommendations may include fertilizing, irrigating and/or treating a tree with chemical, biological or mechanical control techniques with the goal of preserving the tree. Not all trees that are dead or diseased are unsafe or present a substantial risk. A tree has a radius area that could be impacted in the event of a falling trunk or limb. If this area is not regularly used by individuals, then there may be little reason to intervene. The determination of whether a tree potentially poses a substantial risk should be made as part of the contracted licensed arborist’s assessment. FirstLight requires that an arborist written report and/or risk assessment be provided to FirstLight before a permit is issued for the removal of a tree. FirstLight will not permit the removal of trees simply because an abutting homeowner feels they are undesirable, such as with the dropping of leaves or interfering with views of the water.

Why not remove all dead trees and debris?

FirstLight maintains and encourages that their lands remain in a natural state. Unless a dead tree is determined to be unsafe, in most cases, FirstLight will not permit its removal. Removal of the tree may cause more disturbances to the soil, surrounding trees and understory vegetation than letting a tree fall on its own. Dead trees, like living trees, also perform an important function in an ecosystem. They provide habitat and a food source for many shoreline plant and animal species. Over time, the decay and decomposition of the tree is beneficial to the surrounding soils and ecosystem. Even if a tree is removed, leaving the trunk and limbs on the ground will provide benefits over time. In all cases where FirstLight determines that it will remove a tree, the trunk and the limbs will be left in the area of the tree removal on either FirstLight's lands and/or waters below the Project Boundary.

If a tree is removed, why are stumps and roots not removed?

Even if a tree is removed, the roots of that tree will continue to provide stability to the shoreline for many years to come. Leaving the stump in place also will cause fewer disturbances to the surrounding trees and understory vegetation. FirstLight will not remove the stump and roots and may not issue a permit for their removal.

What about trees that have fallen in the water?

Trees that have fallen in the water provide many of the same benefits as trees that have fallen on the ground. Fallen trees provide a structure and habitat for fish, amphibians, birds, and macro-invertebrates as well as other species along the water's edge. In the case of trees that have fallen and are impeding swimming or boating access of an abutting home owner, the home owner may apply for a permit to cut back the tree or to remove or relocate the trunk and limbs of the tree. If a fallen tree has become dislodged from the shoreline and presents a navigational hazard, the appropriate lake authority and/or the CT DEEP should be contacted. The CT DEEP has created a document that discusses the benefits of woody material in a water course which is entitled "Large Woody Debris Fact Sheet"

<http://www.ct.gov/deep/lib/deep/fishing/restoration/largewoodydebrisfactsheet.pdf>