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LAND USE OFFICE
Salisbury, CT

To: Salisbury Inland Wetlands and Watercourses Commission
c/o Abby Conroy Land Use Administrator

Dear Commissioners:

Now that ALL the public has been invited to participate in your information gathering process concerning your regulations update and re-write I would like to make the following observations on last night's workshop.

1. Despite your best efforts to maintain focus and order, this workshop devolved into another forum devoted to three lakes. These lakes are important, but are only a small portion of the wetlands that your regulations and authority will encompass. Even Attorney Williams, legal representative for the Salisbury Lake Homeowners Group (SLH) enumerated that there are many other lakes and ponds in Salisbury.
2. While all other speakers kept strictly to the fifteen minutes allotted, the SLH Representatives were able to co-opt the meeting structure by a variety of methods, including insisting that each member of their team was allotted extra time. This was aided and abetted by one Commissioner, who has consistently demonstrated pre-judgment in favor of the SLH and its position. Commissioners do not serve as delegates for a particular waterbody and must examine all the facts and testimony without bias as pertains to all wetlands and watercourses. This is further complicated by the case that several of your commissioners own waterfront property on lakes that will be subject to your decision on the upland reviews. Many other landowners in Salisbury will be subject to increased upland review areas, however only some of the property owners on the Twin Lakes and Lake Wononscopomuc have organized in this manner to oppose an increase in the URA.
3. Attorney Williams repeated the tiresome harangue about not becoming a mini environmental commission in an attempt intimidate and dissuade you from adopting regulations that protect wetlands that contain certain rare species. It's the integrity of those wetlands you are protecting, not the species. It's the quality of these wetlands that can be measured by a variety of parameters, including the presence of rare species that have exacting ecological requirements and require high quality wetlands. Attorney Williams selectively drew from case-law, conveniently neglecting to mention cases that favor the link between wetland dependent wildlife and your authority—e.g., Unistar and RiverSound. You have in Attorney Janet Brooks an excellent counsel who understands the nuances of case law and approaches these matters with a balance toward environmental stewardship while understanding how to apply the law in a consistent and evenhanded manner. Please give her opinions the weight that they deserve as an attorney who has represented all sides of the spectrum, regulators, commissions, and

developers. Contrast her diverse professional record with the attorneys representing the SLH group.

4. Thank you for not engaging in Q and A with the SLH's attorneys. While these concerns need to be addressed, they should not be done so by cross examination of Commissioners. It's your meeting, not theirs, and one needs to set the ground rules. Cross examination of Commissioners is inappropriate and is another intimidation tactic.

5. Attorney Williams constructed a series of comparative metrics that are a red herring. I do agree that erodible soils should not be part of the proposed regulations. Landowners do not know which soils they reside upon, and while delineation of wetlands is customary, delineation of erodible soils is burdensome. Salisbury has the most diverse assemblage of inland wetlands than any other town in the State. This is a function of bedrock and surficial geology, elevation, and the interconnectedness of Salisbury's landscape. Examination of the Wildlife Urban Interface Map produced by the USDA demonstrates that there are very few areas of the State that maintain this connectivity.

As several members of the public stated, why shouldn't we lead in protection of our resources? The metrics used by Attorney Williams lumped all 169 towns of the State into his analyses. Given patterns of urbanization, elevation, geology, and topography this was not an apples-to-apples comparison. Many towns that have lost a large part of their wetlands and ecological integrity through urbanization do not have strong regulations for environmental protection; There is simply little left to protect. In contrast science tells us that Salisbury is home to highly valuable resources, ecosystems, and communities

Sincerely,

A handwritten signature in black ink, appearing to read "Michael W. Klemens". The signature is written in a cursive style with a large initial "M".

Michael W. Klemens, PhD