

### SECTION 3 - INVENTORY OF REGULATED AREAS

- 3.1 The map of regulated areas entitled "Inland Wetlands and Watercourses Map, Killingly, Connecticut" (the U. S. Department of Agriculture, Natural Resources Conservation Service, Soil Survey-Map for Killingly in Windham County, CT) delineates the general location and boundaries of inland wetlands and the general location of watercourses. Copies of this map are available for inspection in the office of the Town Clerk or the Inland Wetlands Agency. The Inland Wetlands Map shall be for informational purposes only. References should also be made to the Killingly Streambelt Map (1972, U.S. Dept. of Agriculture, Natural Resources Conservation Service); U.S. Geological Survey, Killingly Quadrangle Series Maps; and the National Wetlands Inventory Killingly Maps (U.S. Dept. of the Interior, 1974) for additional aid in determining the general location of watercourses and/or inland wetlands. In all cases, the precise location of regulated areas shall be determined by the actual character of the land, the distribution of wetland soil types, and locations of watercourses. The Agency may use aerial photography, remote sensing imagery, resource mapping, soil maps, site inspection observations or other information in determining the location of the boundaries of wetlands and watercourses. (Amend. Effective Date: Feb. 12, 1996)
- 3.2 Any property owner who disputes the designation of any part of his or her land as a regulated area on the Inland Wetlands and Watercourses Map, may petition the Agency to change the designation in accordance with section 14 of these regulations. All petitions for a map change shall be submitted in writing and shall include all relevant facts and circumstances which support the change. The petitioner shall provide proof that the designation is inapplicable.
- 3.3 If dispute exists as to the designation of the whole or any part of a property as a wetlands regulated area, the property owner or applicant may be required by the agency to present soil documentation by a soil scientist that the land in question, or a portion of it, does or does not have a soil type classified by the National Cooperative Soil Survey as: poorly drained, very poorly drained, alluvial, or floodplain.
- 3.4 To challenge the designation of any portion or all of a regulated swamp, bog, or marsh, or other watercourse, the property owner or applicant must present expert testimony in the form of documentation by a professional biologist, botanist, or ecologist competent in plant identification and wetland ecology and classification systems that the area in question is not defined by botanical association as a swamp, bog, or marsh, or other watercourse.
- 3.5 The Commission shall amend these regulations and establish or amend area boundary maps in accordance with Section 22a-39 and 22a-42a of the

Connecticut General Statutes, as amended and section 14 of these regulations.

- 3.6 The Commission or its designated Agent(s) shall monitor and maintain general surveillance of all regulated areas within the Town to ensure that no unauthorized regulated activities occur.
- 3.7 The Town of Killingly may acquire wetlands and watercourses within its territorial limits by gift or purchase, in fee or lesser interest including, but not limited to, lease, easement, or covenant, subject to such reservations and exceptions as it deems advisable.