



Autumn on the lower  
Farmington River  
Photo: Larry Schlegel

## CHAPTER 1

# The Management Plan

### Introduction

**Purpose.** The Management Plan is a guidance document for protection and enhancement of the Outstanding Resource Values (ORVs) and provides a framework for the Wild and Scenic Committee to follow in planning its conservation work. Town citizens, local land use commissions and the state have endorsed this advisory plan and have committed to participate in its implementation. Community and state endorsement of the Management Plan substantiates eligibility for designation by demonstrating local commitment to river conservation.

**Principles.** The Wild and Scenic Rivers Act, Section 10(a) specifies that designated rivers should be managed according to the following principles:

1. *Each component of the national Wild and Scenic rivers system shall be administered in such manner as to protect and enhance the values which caused it to be included in said system without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values. In such administration primary emphasis shall be given to protecting its esthetics, scenic, historic, archaeological, and scientific features.*
2. *Management plans for any such component may establish varying degrees of intensity for its protection and development, based on the special attributes of the area.*

**Objectives.** The Management Plan achieves five objectives:

1. It gives stakeholders clear recommendations on how to protect and enhance the ORVs, and describes the role of a Wild and Scenic advisory committee in implementing such recommendations.
2. It provides a blueprint for how all partners can proceed in ensuring the long-term protection of the ORVs. It also identifies strategies to measure the quality of the ORVs over time. Where possible, it provides quantifiable approaches to determine how well the ORVs are being protected and enhanced.
3. It serves as the Comprehensive Management Plan required of all congressionally designated Wild and Scenic Rivers.



**Resident provides input during community open house**

Photo: Joyce Kennedy

4. It establishes eligibility for federal, technical and financial assistance if the lower Farmington and Salmon Brook are designated as components of the National Wild and Scenic Rivers System.
5. Based on locally-led and locally-implemented strategies, the Plan can be used to help all stakeholders protect the rivers' ORVs regardless of whether a designation is achieved.

The Management Plan will require occasional updates and adaptations to account for changing resource protection needs, as new priorities arise and older projects are concluded. Revisions to the Plan can also incorporate new or preferred methods of protecting resources as indicated by new information or research.

*Elements.*

The Management Plan has the following elements:

**Local Leadership:** The Plan was developed by the locally-led Wild and Scenic Study Committee with input from town land use commissions, local citizens, the state, other key stakeholders and professional advisors.

**Local Implementation:** The Lower Farmington River and Salmon Brook Management Plan is a non-regulatory document, reflecting a partnership between local, state and federal groups that voluntarily agree to participate in its implementation and the realization of its purpose and goals. The roles and responsibilities of land use planning and regulatory commissions and agencies will not change if a Wild and Scenic designation occurs.

**Support for Implementation Costs:**

Costs associated with implementing the Management Plan are to be funded through annual National Park Service budget allocations that may be available once the river is designated. If designation is delayed, unsuccessful, or insufficiently funded by the NPS, towns have no obligation to expend funds. However, many of the costs associated with implementing recommendations in the Plan are negligible so towns and partners can elect to implement the plan regardless of the status of designation. A completed, endorsed Management Plan is itself a powerful tool for leveraging other sources of in-kind or financial support.

**Scientifically-Driven Protection of Community Assets:** This Plan relies on scientifically sound recommendations to protect the Outstanding Resource Values (Geology, Water Quality, Biological Diversity, Cultural Landscape and Recreation) identified during the study. The benefits, e.g. protecting a drinking water supply, maintaining the area's scenic qualities, enhancing recreational resources and managing the river's diverse plant and animal life, all contribute to the high quality of life that residents of the communities expect and appreciate.

**Developing the Management Plan**

*Assessing the Outstanding Resource Values (ORVs)*

The Study Committee, with expert assistance, identified and documented five categories of ORVs in the river corridors which are described in depth further on in this document. Then, to develop management priorities, each ORV was assessed using the following steps:

1. **Determining existing resource protections** by engaging consultants to determine the adequacy of those protections through a comprehensive review of town regulations, plans and policies as well as current federal and state regulations.
2. **Setting protection goals** for each outstanding resource value at local, state, and federal levels that (a) meet the requirements of Section 6(c) of the Wild and Scenic Rivers Act, and (b) meet any additional protection goals deemed appropriate by the Study Committee.
3. **Identifying threats** that currently impact or are likely to impact the ORVs and assigning them priorities based on the significance and likelihood of their potential impact.
4. **Comparing ORV protection goals with known and potential threats** in order to assess the effectiveness of existing resource protection and to identify potential gaps in protection.
5. **Establishing recommended management priorities and strategies** based on gaps in protection: Where gaps were identified between existing protection measures and desired levels of protection, strategies to fill such gaps are recommended in the Management Plan.

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### *Obtaining Community Participation*

Throughout the process of developing the Management Plan, a significant outreach and education component ensured input and involvement from town leaders, staff, boards, commissions, and local stakeholders and residents. The key actions taken included:

- Multiple meetings with each town's leaders and staff, as well as multiple presentations to all of the ten towns' boards and commissions to educate, gain input and seek recommendations for the development of the Management Plan. These kept the public engaged in the study and aware of its progress.
- Meetings with Connecticut State Representatives for the Study Area and with the Chair of the Environment Committee, which led to broad support and unanimous passage of Public Act No. 08-37, An Act Concerning Designation of the Lower Farmington River and Salmon Brook within the National Wild and Scenic Rivers System. The Act, which Governor Rell signed into law on May 7, 2008, conveys the state's support for designation and directs the CT DEP to cooperate with the implementation of the Management Plan. See Study Report for copy of the Act.
- Distribution of a draft of the Municipal Plan & Regulation Review, conducted by the law firm of Robinson and Cole, to appropriate town staff for comment and further input prior to conducting the gap assessment for the Management Plan. This critical step furthered the dialog with towns regarding the development of the Management Plan and brought out the importance of using the Connecticut enabling statutes and model regulations when regulating for greater protection of the ORVs.
- A Land Use Leadership Alliance (LULA) Workshop in Simsbury, sponsored by the Study Committee in Spring 2009. Approximately 35 local participants attended the four full-day sessions. Attendees were community leaders from all of the ten study towns, including members of local land use commissions and other boards and commissions, land trust members, town land use staff, town leaders, a developer, and Wild and Scenic Study Committee representatives. This unique, intensive training allowed Study Committee members and local land use decision makers to exchange ideas and information. Participants provided critical input toward the development of the Management Plan. LULA trainers demonstrated how Connecticut's enabling legislation can be used to strengthen regulations that protect natural resources and lead toward achieving low impact development.
- Wild and Scenic Study Open Houses held in four towns (Avon, Canton, East Granby, and Farmington), at sites convenient to residents. Widely publicized, these open forums gave the public an opportunity to learn about the ORV research results, ask Committee members about the study process, and provide input for the Management Plan.
- Posting the Draft Management Plan at the Wild and Scenic website for public comment.
- Attending community events in all ten towns and displaying educational Wild and Scenic materials at all ten public libraries.
- Local television and regional radio stations presented programs about the Wild and Scenic Study.
- Presentations by Study Committee members to local organizations.
- Requesting and receiving formal endorsement of the Wild and Scenic designation and the Management Plan by all ten towns in the study area after providing ample opportunity for the towns to ask questions and review and comment on the Management Plan. Many individual town commissions and boards also provided formal endorsement of the designation and Management Plan. Additionally, many local and regional organizations and individuals have written letters in support of the designation. See Study Report for copies of the endorsement and support letters.

Though the management plan is completely advisory, it is critical that so many partners have had an active role in developing its recommendations, and have endorsed the strategies that can be used to protect the ORVs. This commitment of the various

partners in river protection, a commitment developed and reaffirmed throughout the study process, will foster effective implementation. Community and state endorsement of the Management Plan substantiates eligibility for designation by demonstrating commitment to river conservation.

Commitment to Management Plan implementation has been demonstrated locally by continued land conservation efforts, revision of land use and wetland regulations (to reflect recommendations in the *Municipal Plan and Regulation Review*) and through policies that recognize the importance of protecting land in the river corridor and the value of designating the watercourses.

#### **Determining Adequacy of Existing Protection**

As noted above, the Management Plan development process must include an assessment of existing mechanisms that protect and enhance the Outstanding Resource Values (ORVs) of the river system. That assessment must:

1. Determine whether local policies and regulations meet the requirements of Section 6(c) of the Wild and Scenic Rivers Act, which states:  
*(c) Neither the Secretary of the Interior nor the Secretary of Agriculture may acquire lands by condemnation, for the purpose of including such lands in any national wild, scenic or recreational river area, if such lands are located within any incorporated city, village or borough which has in force and applicable to such lands a duly adopted, valid zoning ordinance that conforms with the purposes of this Act. The standards specified in such guidelines shall have the object of (A) prohibiting new commercial or industrial uses other than commercial or industrial uses which are consistent with the purposes of this Act, and (B) the protection of the bank lands by means of acreage, frontage, and setback requirements on development.*
2. Identify any additional protection goals deemed desirable (though not required) by the Management and Protection Subcommittee.

To meet the first objective, the Study Committee contracted the law firm of Robinson & Cole to inventory and assess the regulations and policies formally adopted

prior to July 2008 in the ten river corridor towns that address the protection and enhancement of the Outstanding Resource Values (ORVs) in the Lower Farmington and Salmon Brook. The study addressed each town's municipal plan and regulations, with respect to each ORV. The full *Municipal Plan and Regulation Review (Review)* can be found in the Appendix.

As a result of the *Review* and other analyses during the Wild and Scenic Study it was concluded that the current combination of local, state and federal regulations, protected lands, and local commitment to conservation comprise a protection scheme that is adequate and makes federal condemnation of lands *unreasonable and unnecessary*. No new actions are deemed necessary to meet the requirements of Section 6(c). In support of this conclusion, important local, state and federal protections were identified, including the following:

- Municipal Inland Wetland and Watercourse Commissions can regulate for activities in upland review areas that would likely impact wetland or watercourse function. Local upland review areas are in place in all ten communities. The towns protect the area adjacent to watercourses and wetlands by reviewing all proposed activities along wetlands and watercourses. All of the towns have an upland review area of at least 100 feet upland of the wetland or stream; some towns have a greater regulated upland review area. Reviews in upland areas may include assessing and regulating impacts from a proposed activity on water quality and hydrologic and ecological functions. This is the single most important local regulatory authority in place, and indicates a consistent and strong willingness among the ten river towns to protect the water resources.
- The state has comprehensive enabling legislation governing the use of land, and it grants authority to towns to adopt regulations that effectively implement legislation at the local level. Towns therefore have the power to choose regulatory tools to gain greater resource protection and have the flexibility to do so.
- Within the river corridor, over 27 percent of land is protected in open space and

recreation. This exceeds the state's overall goal of preserving 21 percent of its open land by 2023. Just over 9 percent of land in the corridor is agricultural. All ten towns have land trusts and their land holdings total approximately 6000 acres.

- A significant number of the towns allow for cluster and open space residential subdivisions that allow for greater protection of open space and/or particular natural features on a site. Modification of traditional subdivision regulations for development is an example of how the towns are using local regulations to protect outstanding resources.
- The Towns of Canton and Hartland have demonstrated their commitment to the Wild and Scenic designation through their membership on the upper Farmington River Wild and Scenic Coordinating Committee and enactment of a Farmington River Protection Overlay District.
- The Town of Farmington has a policy of promoting coordination with the Farmington River Watershed Association in support of its work toward the Farmington River's inclusion in the National Wild and Scenic Rivers Program, as well as a policy that encourages the adoption of a Farmington River Protection Overlay.
- In 2009 the Town of Bloomfield included in their revised Zoning Regulations an Overlay District for Talcott Mountain that addresses the problems of soil erosion and sedimentation and adverse visual impacts, thereby acknowledging the importance of the mountain in defining community character. In addition, they adopted new stormwater management requirements and a comprehensive overhaul of the FEMA requirements regarding flooding.
- The New England National Scenic Trail was designated in 2009 and runs through five of the ten study towns including Avon, Bloomfield, East Granby, Farmington and Simsbury.
- Almost every town has signed some type of regional compact such as the Farmington River Watershed Compact and the Metacomet Ridge Compact. The Town of Farmington has already acknowledged the potential Wild and Scenic designation in their plans.

- The Town of Granby supported the 2010 designation of the Salmon Brook as an official State of Connecticut Greenway.
- The Towns of East Granby and Farmington have developed regulatory protection of archaeological resources.
- The Town of Hartland has acknowledged in a written correspondence (found in the appendix) the usefulness of the *Municipal Plan and Regulation Review* in the preparation of their newly revised Inland Wetland and Watercourse Regulations.
- The State of Connecticut, in cooperation with the Farmington River Watershed Association (FRWA), has led an effort to remove the breached Spoonville Dam that currently blocks fish passage for some species. A removal design is complete and FRWA is currently seeking funding for the removal.

Thus the first objective of the Robinson and Cole study, i.e., determining adequacy of existing protections, was met. To meet the second objective, the study provided recommendations for additional protection goals to include in the Management Plan. Though not required by Section 6(c), these recommendations are considered very important to optimizing the overall long-term quality of the Farmington River and Salmon Brook's ORVs. Specific recommendations are listed for each Outstanding Resource Value throughout the Management Plan.

#### *Summary of the Protection Review*

Overall, the Study Area towns are doing a good job in managing the Outstanding Resource Values (ORVs) of the Farmington River and Salmon Brook. In addition to adequate regulations, there are important partnerships involving federal, state and town governments, nongovernmental organizations, and individuals that also help protect the resources. Actions have been taken to protect agricultural land, recreational resources, and water resources through open space acquisitions, conservation easements and various designations that promote public recognition of land stewardship.

Though existing protections are deemed adequate, it is important to ensure optimal protection of ORVs over time and, in a changing environment. To do so, the Study Committee identified a protection goal for each ORV, identified threats and management

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issues that could degrade ORV quality, noted potential gaps between these threats and the **existing** protections, and recommended tools or techniques for improving protection and enhancement of the ORVs at the local level.

Opportunities identified by the *Municipal Plan and Regulation Review* for more recognition and protection of ORVs are incorporated into this Plan and its appendices. One top priority is for towns to make full use of the resources available from the state that promote resource protection, especially opportunities to strengthen town regulations, based on state statutes already in place. In addition to the *Review's* recommendations, the Study's Management & Protection Subcommittee also has identified actions that communities can take to support enhanced long-term protection of the river's ORVs.

#### **Local Commitment**

During the Study, towns and other local partners have collaborated with the Study Committee on projects which demonstrate strong local commitment to protecting the Outstanding Resource Values of the Farmington River and Salmon Brook. For example:

- The Study Committee, the Town of Avon, and local volunteers have collaborated to manage invasive species in Fisher Meadow, an important floodplain along the Farmington River.
- A portion of Salmon Brook was nominated and designated as an official Connecticut Greenway in 2010, with the support of the Town of Granby.

- A local nature center and members of the Hartford Audubon Society contributed many hours to complete a migratory bird survey to supply data for the Study.
- Area land trusts participated in a land trust integration survey, which was conducted to determine how to achieve goals shared by both the Study Committee and land trusts.

A Land Use Leadership Alliance (LULA) Workshop drew participants from all 10 study towns, gaining input for the Management Plan and training local leaders on strategies for natural resource conservation, low impact development, and effective decision-making.

- The Triple Crown Whitewater Canoe and Kayak Races in the Tariffville Gorge have been supported by the Study Committee through funding, planning and volunteer participation
- The Study Committee has welcomed additional members and partners throughout the study process, including the Connecticut Forest & Park Association, the Tariffville Village Association, the Pequabuck River Watershed Association and the Whitewater Triple Crown Committee.
- The "Suggested Recreation Projects for Member Towns" list found in Appendix was developed with input from the towns as a source of ideas for the committee to pursue if designation is achieved.

#### **Study Committee sponsored invasive plant removal project at Fisher Meadow, Avon**

Photo: Joyce Kennedy

