



STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



May 18, 2009

John F. Wagenblatt, PLS  
Connecticut Association of Land Surveyors  
78 Beaver Road  
Wethersfield, CT 06109

Dear Mr. Wagenblatt:

I am following up on Deputy Commissioner Marrella's letter to you of April 6, 2009, regarding your proposal to modify the statutory definition of the "high tide line" pursuant to section 22a-359(c) of the General Statutes. My staff and I would be happy to arrange a meeting for you to present the issues raised by your proposal and the reports on which it is based. However, as you may know, the Office of Long Island Sound Programs (OLISP) is currently a party to two appeals of our enforcement orders in which the proper delineation of the jurisdictional high tide line is at issue. Given this context, it would be inadvisable for us to undertake any discussion or correspondence which could be interpreted to suggest that the statutory definition of the high tide line or OLISP's interpretation thereof is in any way flawed, inaccurate or arbitrary. Accordingly, if you wish to meet with us we will be pleased to listen to a full explanation of your proposal and reports, but we will not be in a position to provide any feedback or evaluation at this time.

We appreciate your organization's efforts to study the high tide line and look forward to discussing the subject further once the pending litigation is resolved. If you have any questions concerning this matter or any other coastal management issue, please contact me at (860) 424-3650.

Sincerely,

A handwritten signature in black ink, appearing to read "B. P. Thompson".

Brian P. Thompson, Director  
Office of Long Island Sound Programs

BT/db

cc: Melinda Decker, Esq., Office of Legal Counsel  
Carmel Motherway, Esq., Assistant Attorney General