



Senate

General Assembly

File No. 450

January Session, 2003

Substitute Senate Bill No. 1047

Senate, April 17, 2003

The Committee on Environment reported through SEN. WILLIAMS of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE CONSERVATION OF GRASSLANDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 23-75 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2003*):

4 (a) The Commissioner of Environmental Protection shall acquire
5 land by purchase, gift or devise for the purposes set forth in section 23-
6 74. The title to any land acquired pursuant to sections 23-73 to 23-79,
7 inclusive, shall be vested in the state. In determining whether sites
8 shall be acquired, the department shall consider whether the site is: (1)
9 Identified as having high priority recreation, forestry, fishery, wildlife
10 or conservation value, including, but not limited to, the conservation of
11 grasslands and other early successional habitats, and lands that can be
12 restored to grassland and early successional habitat and as being
13 consistent with the state comprehensive plan for outdoor recreation
14 and the state plan of conservation and development; (2) a prime

15 natural feature of the Connecticut landscape, such as a major river, its
16 tributaries and watershed, mountainous territory, an inland or coastal
17 wetland, a significant littoral or estuarine or aquatic site or any other
18 important geologic feature; (3) habitat for native plant or animal
19 species listed as threatened or endangered or of special concern in the
20 data base or pursuant to the program established under section 26-305,
21 particularly areas identified as essential habitat for such species; (4) a
22 relatively undisturbed outstanding example of a native ecological
23 community which is now uncommon; or (5) threatened with
24 conversion to incompatible uses or contains sacred sites or
25 archaeological sites of state or national importance. In acquiring a site
26 that has been identified as having a high priority recreation value, the
27 department shall give priority to sites near population centers. For
28 purposes of this section, "grasslands" means natural or managed
29 upland communities where the dominant plant species are members of
30 the grass family, exclusive of lawns or other habitats that are managed
31 intensively in the growing season and "early successional habitats"
32 means habitats dominated by shrubs, young trees, grasses and other
33 vegetation that require natural disturbance or management to prevent
34 succession into mature forest habitat.

35 Sec. 2. Subsection (b) of section 7-131d of the general statutes is
36 repealed and the following is substituted in lieu thereof (*Effective*
37 *October 1, 2003*):

38 (b) Grants may be made under the protected open space and
39 watershed land acquisition grant program established under
40 subsection (a) of this section or under the Charter Oak open space
41 grant program established under section 7-131t to match funds for the
42 purchase of land or permanent interests in land which purchase meets
43 one of the following criteria: (1) Protects land identified as being
44 especially valuable for recreation, forestry, fishing, conservation of
45 wildlife or natural resources, including, but not limited to, the
46 conservation of grasslands and other early successional habitats, and
47 lands that can be restored to grassland or early successional habitat; (2)
48 protects land which includes or contributes to a prime natural feature

49 of the state's landscape, including, but not limited to, a shoreline, a
50 river, its tributaries and watershed, an aquifer, mountainous territory,
51 ridgelines, an inland or coastal wetland, a significant littoral or
52 estuarine or aquatic site or other important geological feature; (3)
53 protects habitat for native plant or animal species listed as threatened
54 or endangered or of special concern, as defined in section 26-304; (4)
55 protects a relatively undisturbed outstanding example of a native
56 ecological community which is now uncommon; (5) enhances and
57 conserves water quality of the state's lakes, rivers and coastal water; (6)
58 preserves local agricultural heritage; or (7) in the case of grants to
59 water companies, protects land which is eligible to be classified as class
60 I land or class II land after acquisition. The commissioner may make a
61 grant under the protected open space and watershed land acquisition
62 grant program to a distressed municipality or a targeted investment
63 community, as defined in section 32-9p, for restoration or protection of
64 natural features or habitats on open space already owned by the
65 municipality, including, but not limited to, wetland or wildlife or plant
66 habitat restoration or restoration of other sites to a more natural
67 condition, or replacement of vegetation, provided the total amount of
68 grants to such municipalities for such purposes may not exceed twenty
69 per cent of the total amount of grants made in any fiscal year. For
70 purposes of this section, "grasslands" means natural or managed
71 upland communities where the dominant plant species are members of
72 the grass family, exclusive of lawns or other habitats that are managed
73 intensively in the growing season and "early successional habitats"
74 means habitats dominated by shrubs, young trees, grasses and other
75 vegetation that require natural disturbance or management to prevent
76 succession into mature forest habitat.

This act shall take effect as follows:	
Section 1	October 1, 2003
Sec. 2	October 1, 2003

ENV Joint Favorable Subst.

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

OLR Bill Analysis

sSB 1047

AN ACT CONCERNING THE CONSERVATION OF GRASSLANDS**SUMMARY:**

This bill adds grassland and other early successional habitats, as well as land that can be restored to these types, to the criteria that make land eligible for acquisition through three conservation and open space acquisition programs: (1) the Recreation and Natural Heritage Trust Fund, (2) the Protected Open Space and Watershed Land Acquisition grant, and (3) the Charter Oak Open Space grant.

Under the bill (1) "grassland" means natural or managed upland communities where grasses are the dominant plant species (but it does not include lawns or other habitats that are managed intensively in the growing season) and (2) "early successional habitats" are habitats dominated by shrubs, young trees, grasses, and other vegetation that require management or natural disturbance to prevent the area from developing into a mature forest.

EFFECTIVE DATE: October 1, 2003

BACKGROUND***Recreation and Natural Heritage Trust Program***

By law, this program allows the environmental protection commissioner to acquire certain land by purchase, gift, or other method to ensure the conservation and preservation of land that represents the ecological diversity of the state for recreational, scientific, educational, cultural, and esthetic purposes; land of unusual natural interest; and land that is home to endangered and threatened species. The Department of Environmental Protection (DEP) may acquire the land on its own or in conjunction with a land trust, town commission, or other party. DEP pays for the land through general obligation bonds authorized for each parcel. A portion of the funds must go into a stewardship account to maintain the land (CGS § 23-73-80).

The Protected Open Space and Watershed Land Acquisition Grant

This program provides grants to (1) municipalities and nonprofit land organizations to acquire land or permanent interests (e.g., easements) in it, (2) water companies (including municipal utilities) to acquire land that protects drinking water supplies, and (3) distressed municipalities and targeted investment communities to restore or protect open space land they already own.

If the state acquires a partial interest in a property, an easement must provide (1) permanent preservation, (2) public access, and (3) any Department of Public Health (DPH) restrictions necessary to protect a public drinking water source.

Charter Oak Open Space Grant Program

This program provides grants to municipalities and nonprofit land conservation organizations to acquire land or permanent interests in open space or watershed protection land. Municipalities may not receive funds unless their development plan includes an open space plan.

To be eligible, the lands must meet the criteria and limitations established in the protected open space and watershed acquisition program.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute Report

Yea 27 Nay 0