



Working Lands Alliance
A Project of American Farmland Trust

To: PLANNING & DEVELOPMENT COMMITTEE

Date: March 2, 2009

TESTIMONY RE:

H. B. No. 6464 (RAISED) AN ACT CONCERNING COORDINATED PRESERVATION AND DEVELOPMENT.

Submitted by: Jiff Martin, Coalition Director of Working Lands Alliance

The following testimony is submitted on behalf of the Working Lands Alliance, a statewide coalition of over 600 individuals and 200 businesses and non-profits committed to increasing the state's commitment to farmland preservation.

Farmland Preservation & Smart Growth Policy

WLA applauds the Planning & Development Committee as well as the Smart Growth Working Group for their hard work and vision introducing a broad package of policy proposals related to smart growth and regional planning. Farmland preservation, along with all state investments, can and should be regarded as one tool in the larger statewide planning toolbox that sets priorities for long-term growth and a secure quality of life for state residents in the future.

Unfortunately, WLA is deeply concerned with the mechanics of the smart growth screening process proposed in HB 6464 for the state's investment activities in farmland protection. HB 6464 would charge the Face of Connecticut Steering Committee with reviewing for consistency with smart growth all offers to sell development rights on farmland.

As an investment strategy that began in 1978, the State of Connecticut's Farmland Preservation Program has 30 years of experience working with farmers, towns, and the Federal Government. Since 1996, nearly all farms protected by the State of Connecticut have also satisfied the Federal Farmland Preservation Program requirements in order to leverage dollar-for-dollar matching funds. The intent of the CT Farmland Preservation Program under CGS 22-26aa-hh is to "to maintain and preserve agricultural land for farming and food production purposes." Over three decades the State of Connecticut has gradually invested \$105 million in the purchase of development rights on 34,000+ acres of farmland (representing an average spending pace of just \$3 million per year). In terms of funding commitment and program activity, CT has fallen far behind other states in the region such as New Jersey, Massachusetts, Pennsylvania, New York, and Maryland. **Today, less than 10% of Connecticut's land in farms is permanently protected.**

WLA's concerns with the proposed bill are as follows:

- 1) HB 6464 proposes a review of all applications to sell development rights under 22-26cc, rather than a review of the underlying scoring criteria and process by which all applicants are evaluated and prioritized. Applicants to sell development rights under Sec 22-26cc are currently evaluated by an objective scoring criteria that makes a careful assessment of each applicant's quality of farmland soils, in keeping with the state's goal of preserving land that has a known capacity for growing food. It would far more reasonable to evaluate this criteria and process rather than require a project by project review.
- 2) HB 6464 proposes a review of applications that would be nearly impossible to assess until the usual procedures for all farm applications has been completed, representing tremendous time and resources expended in advance of such review. Currently all farm applications must satisfy several steps to justify the investment of state taxpayer funds. These steps include meeting standards for soil quality, negotiated price (subject to certified appraisal and State Property Review Board), and consistency with the State Plan of Conservation and Development, in addition to satisfying federal criteria in order to access matching federal funds.
- 3) HB 6464 proposes a review that would likely encumber the CT Farmland Preservation Program and cause harmful delays. Although HB 6464 requires a decision by the Face of Connecticut Steering Committee within 30 days, this body is under no statutory obligation to meet monthly, has never convened, and has no staff. Current applications to sell development rights under Sec 22-26cc take approximately 18 months to complete (up until 2 years ago, applications took even longer). Farmers continue to find these delays very discouraging when trying to reinvest in their farm business, pay off debt, or settle estate matters. Any additional delays would be a step backwards.
- 4) Lastly, HB 6464 ignores the existence of a Farmland Preservation Advisory Board which is perhaps better suited to make such an evaluation. In 2007, with enactment of PA 07-162, a Farmland Preservation Advisory Board was established in order to:
 "...evaluate and provide comments and recommendations on the purchase of development rights transaction process, including, but not limited to, methods for streamlining the process and appropriate levels of staffing and funding, methods for increased participation by municipalities and farmers, methods of planning for future acquisitions and identifying prime land for preservation, and outreach strategies to be conducted by program staff to the state-wide farming community, targeted towards attracting a greater number of quality applications, (3) may recommend any other changes to the program deemed appropriate by the board, including recommendations for future legislative action, and (4) shall evaluate and provide comments on the efficacy of the method of bond funding established pursuant to section 2 of this act."