



Working Lands Alliance
A Project of American Farmland Trust

To: Environment Committee

Date: Feb 18, 2009

Testimony in regards to:

HB 5272 AN ACT CREATING A RELIEF FUND FOR CONNECTICUT DAIRY FARMERS
HB 5483 AN ACT CONCERNING FINANCIAL RELIEF FOR THE DAIRY INDUSTRY
HB 5504 AN ACT INCREASING THE DAIRY RETAIL LICENSE FEE

HB 6397 (RAISED) AN ACT CONCERNING OPEN SPACE PRESERVATION

HB 5797 AN ACT PROHIBITING HIGH-DENSITY HOUSING NEAR A WORKING FARM

Submitted by: Jiff Martin, Project Director, Working Lands Alliance

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

Dairy Industry Support

WLA strongly supports efforts, such as envisioned in H272, HB 5483, and HB 5504 to provide dairy farmers with long-term price stability and short-term relief during periods of low milk prices, as well as help addressing escalating feed, fuel and other input costs. The recent REMI study released in January 2009 demonstrates that Connecticut dairy farmers currently own or lease 40% of working lands in Connecticut. These 157 farm businesses are absolutely vital as active stewards of our precious farmlands. Cyclical downturns in milk prices wreck havoc on the industry and threaten the continued viability of dairy farmers around the state and the future of the 70,000 acres of land they farm.

Data released two weeks ago from the 2007 USDA Census of Agriculture demonstrates that more than 50% of all agricultural products sold in Windham County and between 30-49% of all agricultural products sold in Tolland and Litchfield counties were dairy products. This highlights the tremendous importance of dairy viability to those regional economies, with huge implications for jobs, taxes, agriculture support services, in addition to land management and community character.

Municipal Green Fund

Working Lands Alliance is firmly supportive of the proposal to enable municipalities to raise funds for local conservation using a 1% conveyance fee on buyers of real estate. WLA, and its parent organization, American Farmland Trust, have examined the tremendous success of this

policy tool in eastern Long Island and have concluded its potential impact on farmland preservation in Connecticut would be outstanding. WLA is particularly interested in replicating NY's model that extends this policy tool to regions that have expressed a prior interest in adopting this measure. Given the rising interest among Connecticut municipalities to partner with the State and Federal government to protect farms, this policy tool would provide a timely alternative to local bond referendums while fostering more deliberate regional planning for agriculture.

In 1998, five eastern Long Island towns (East Hampton, Riverhead, Shelter Island, Southampton, and Southold) obtained from NY State's legislature the right to bring forward a new real estate transfer tax of 2% on each real estate transaction occurring in these towns. Voters in each town approved a referendum creating the Community Preservation Fund -- a conservation program to preserve open space and farmland. A bipartisan advisory committee, composed of citizens from each town, oversees the program locally. The Long Island program has been highly successful. More than 6,000 acres of land have been protected that otherwise would have been lost to development. (In 2006, voters in all five townships approved a referendum to extend the collection of the tax from 2020 to 2030).

Unlike NY's measure which permits a maximum 2% fee, HB 6397 proposes a maximum 1% conveyance fee. This will no doubt limit the fundraising potential of this policy tool in CT, but is perhaps a necessary compromise in these economic times.

Amendment considerations for HB6397:

- WLA strongly urges HB6397 explicitly provide for farmer-to-farmer exemptions in the law.
- WLA recommends consideration of an amendment to HB 6397 in order to replicate how the NY law uses three categories of exemption of property value from the real estate conveyance tax. In addition to the \$150,000 exemption in property value for a house our building, NY sets a higher level of exemption (\$250,000) in communities where real estate values are very high, and a lower level of exemption (\$100,000 or \$75,000) for unimproved land.

High Density Housing Near Working Farms

Although WLA does not have a formal position on this proposal, we concur with the proponents of HB5797 that non-farmer neighbors have been a growing source of misunderstanding and even conflict with farmers. The recently published *Planning for Agriculture Guide for Municipalities* – a joint publication of CT Conference of Municipalities and American Farmland Trust – is intended to proactively help towns support farm businesses, including taking measures to avoid nuisance complaints such as zoning for mandatory buffers. The state's Right To Farm law provides primary, fundamental protection from nuisance complaints to all farmers that use 'generally accepted agriculture practices,' however protection from negligent soil management activities by neighbors is not included.