



Working Lands Alliance
A Project of American Farmland Trust

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CT Farm Bureau Association

STAFF
Lisa Bassani
Director

Testimony in support of HB 6542 (with 2 modifications)
Environment Committee

Submitted by: Lisa Bassani, Project Director, Working Lands Alliance
March 15, 2013

Senator Meyer, Representative Gentile, and Committee members:

The Working Lands Alliance appreciates this opportunity to submit testimony in **support of HB 6542**, An Act Concerning the Preservation of Farmland at the Southbury Training School.

The Working Lands Alliance is a broad-based, statewide coalition dedicated to preserving Connecticut's farmland, and includes such organizations as American Farmland Trust, the CT State Grange, CT Forest & Park Association, End Hunger CT!, and the CT Farm Bureau, among many others. One of the top priorities of our diverse coalition is to ensure that the state invests in the preservation of prime and important farmland soils, and continues to make progress towards its overall goal of protecting 130,000 acres of productive farmland in Connecticut.

Our coalition supports HB 6542, and we commend the Governor for his support of a preservation option for this property. WLA believes that the preservation of the 825 acres of land at the Southbury Training School will be beneficial to the state in multiple ways. This bill will, at minimal cost, allow the state to make a significant stride in reaching the overall goal of 130,000 acres of protected farmland; and by protecting the largest parcel of farmland left in Southbury, this bill will thus finally provide (in perpetuity) a reliable land base for increased agriculturally-based economic development in a part of the state where it is needed.

The Farmland Preservation Advisory Board conducted a study of state-owned farmland, and identified a number of properties worthy of protection. The 825 acres at Southbury Training School, which contains approximately 575 acres of prime and important farmland soils, was at the top of the list. A preservation outcome for this key property would set the stage for permanent preservation of other key state-owned farmland properties, and would provide an excellent opportunity to quickly and cost-effectively increase the pace of farmland preservation in this state.

In addition, the protection of farmland at Southbury Training School will point the way towards future public-private partnerships that are so valuable in times of fiscal restraint. HB 6542 would both protect a keystone agricultural landscape in

southwestern Connecticut, and would allow a high quality third party private entity to oversee the stewardship on this 825-acre property. The oversight provided will reduce the State's costs for monitoring and stewardship, and provide a local, responsive advocate for the agricultural community using the State land.

Our coalition, however, has two suggested changes to the bill. The first change concerns the permanence of the easement conveyed to the third party and the ability of this entity to fully enforce the terms of the easement. Without specific language in the bill waiving the state's sovereign immunity, there is a question of what rights the easement holder would have to enforce the terms of the easement in the event of a violation. The Working Lands Alliance supports this bill, but believes that an amendment adding a waiver of the state's sovereign immunity is needed to assure the permanence of the easement. This waiver of sovereign immunity would be specific to this property with the express purpose to strengthen the protections of the working lands. By conveying full rights to the third party to defend the easement, this would add an important layer of protection and transparency, and would significantly strengthen this bill.

Secondly, WLA believes that the legislation should specify that the overall intent of the conveyance is that the land remains available for active agricultural use in perpetuity. This clarification is needed to ensure that the agricultural use of the property retains primacy relative to other possible future uses of the property.

On behalf of the Working Lands Alliance, I urge the Committee to act favorably on HB 6542, with the modifications noted above.