



STATE OF CONNECTICUT

DEPARTMENT OF AGRICULTURE

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Commissioner*



**Testimony presented to the Environment Committee of
The Connecticut General Assembly
By the Connecticut Department of Agriculture
March 15, 2013**

**H. B. 6542 AN ACT CONCERNING THE PRESERVATION OF FARMLAND
AT THE SOUTHBURY TRAINING SCHOOL**

Chairpersons Meyer and Gentile, Vice Chairs Maynard and Albis, Ranking Members Chapin and Shaban and members of the Environment Committee, thank you for the opportunity to submit testimony today.

House Bill 6542, An Act Concerning the Preservation of Farmland at the Southbury Training School, is one of the most significant pieces of legislation before the General Assembly with respect actions the state can take regarding the permanent protection of critical farmlands. This southwestern Connecticut resource is one of a kind and the “crown jewel” of state agricultural properties. Passage of HB 6542 will keep this farm unit available for agricultural production in perpetuity. The Department of Agriculture applauds Governor Malloy for this initiative and thanks the Department of Developmental Services and Commissioner Macy in particular for their support for the protection of this incredible state and natural resource.

Special Act 09-8 required the Farmland Preservation Advisory Board to review any state-owned agricultural land, excluding Department of Energy and Environmental Protection (DEEP) lands, to evaluate permanent preservation methods and make recommendations for further preservation action. This included recommendations for (1) a conservation easement or possible transfer of the property's interest and (2) the identification of potential recipients of any resulting conservation easement.

By law, the 12-member Farmland Preservation Advisory Board (FPAB) makes recommendations to the Department of Agriculture (DoAg) regarding its purchase of development rights program and other agency efforts to protect agricultural lands.

A subcommittee of six members including the chair was formed from the board, as well as representatives from the Connecticut Farmland Trust, Working Lands Alliance, Southbury Land Trust and the USDA Natural Resources Conservation Service. Seven properties were identified that met the criteria for the permanent preservation of state-owned agricultural lands.

In making its recommendation, the farm property of the Southbury Training School was considered the premier piece of agricultural land among the seven properties considered for permanent protection.

“Agricultural land” is defined as any land in the state which, based on soil type, is suitable for (1) cultivating plants for production of human food and fiber and other useful and

valuable plant products; (2) producing animals, livestock, and poultry useful to man and the environment; and (3) providing economically profitable farm units. It may include adjacent pastures, wooded land, natural drainage areas, and other adjacent open areas.

The goal for the unique farm property found at the Southbury Training School is to manage it as a strategic agricultural preserve. HB 6519 specifies that a permanent conservation restriction be placed on the property and the Department recommends that the conservation easement be held by the Southbury Land Trust. Fee ownership will remain with the State of Connecticut, under the custody and control of the Department of Agriculture.

Presently, there are a total of 1,413 +/- acres owned by the state under the custody and control of the Department of Developmental Services (DDS) at the Southbury Training School (STS). It is estimated that 825 +/- acres are associated with the farm unit. It is that portion of the STS that is proposed for permanent protection. The property is located in the towns of Southbury and Roxbury on the general easterly/westerly sides of Cassidy Road, generally the northerly/southerly sides of Purchase Brook Road, and generally the easterly/westerly sides of Spruce Brook Road.

The DDS operated a state dairy facility at STS for many years. In 1992, state employee positions supporting the facility were eliminated from the state budget. At the time, staff managed a herd of over 100 milking and replacement cows, and cropped the agricultural fields. DDS and a neighboring dairy farmer entered into an emergency license to meet the needs of the animals and the farming operation. This license was negotiated by the DoAg, in accordance with Public Act 92-15. The act allowed for a lease agreement on the agricultural lands and dairy facility at STS, with approval of the State Properties Review Board, with the lease to be administered by the Commissioner of Agriculture. Eventually, the state-leased dairy herd was declared "surplus" by the state and sold at auction. The farmer licensee purchased the herd. In 2008, the dairy facility, related structures, and additional areas of the farm were removed from the farm lease by DDS.

From 1992 to present, DoAg has assisted DDS with the agricultural agreements for the STS farm. The farm has been leased by private farmers for over 20 years. Presently, Benjamin Platt and his father, Edward Platt III, have a current agricultural lease agreement with the state covering a portion of the farm unit which they manage in concert with their neighboring farm enterprise.

The STS farm unit property contains more than 500 acres of cropland, in hay, silage corn, meadow, pasture, an old apple orchard, and an old vineyard. The farm is as picturesque as it is productive and consists of rolling hills and level ground. The property is traversed by Spruce Brook, a tributary of Transylvania Brook. Like most Connecticut farms, the STS farm has associated forest land and wetlands. Soils of the farm have been classified by the United States Department of Agriculture, Natural Resources Conservation Service, ranging from Class I to Class VIII. Those soils best suited for agriculture crop production purposes are classified as Class I and Class II, being considered "Prime Farmland Soils" and Class III "Farmland of Statewide Importance".

The STS farm unit contains the following estimate of farmland soil acreages:

- 340 acres Prime Farmland Soils (41%)
- 207 acres Statewide Important Farmland Soils (25%)
- 547 acres Total Prime and Important Farmland Soils (66.5%)

Comparatively, the STS farm unit has a very high percentage of prime and important farmland soils and natural resource functions and values. The Commissioner of Agriculture, DoAg staff and the Farmland Preservation Advisory Board have studied and reviewed the property for its potential agricultural use. The unanimous recommendation is that the state convey a conservation easement to a local land trust (Southbury Land Trust), allowing the land to continue to be used for agricultural purposes in perpetuity. The state (DoAg) would retain the fee ownership and management of the property because of its unique agricultural resources and potential compatible multiple use benefits.

The agency would continue to make land available to farmers through an open and competitive bid process. Although currently in dairy support of hay, pasture, and corn, additional uses will be pursued.

The DoAg will continue to work with DDS on all existing programs and would welcome creating new programs to meet diverse client needs. This includes DDS and their clients continuing the operation of the chicken coop for egg production, continued operation of the cord-wood production program, continued use of residences where required, continued client vegetable garden(s), and continued growing and sale of Christmas trees on the site.

The issue of the buildings may be discussed and decided through consultation between the DoAg, DDS, and OPM. Following appropriate assessment, some structures may be incorporated into agricultural operations while other buildings may need to be razed. Some structures have not been maintained over time or are economically and functionally obsolete.

There are costs associated with maintaining the farm property. We recommend a self-funded maintenance and improvement account be established, funded through the property lease payments, and used exclusively to aid in the maintenance of the property.

Uses and benefits of the STS farm are many including area(s) for bee hives, an opportunity to renovate the old orchard and vineyard areas, which have been unmanaged for a significant time, and opportunities to reestablish areas as cropland for vegetables, a local community garden, maintaining existing and establishing new DDS client programs and providing for the establishment of an incubator farm for new agricultural producers. The potential also exists for the creation of a small scale food processing facility that could serve area farmers and to enhance and utilize forest lands for maple syrup production. Opportunities with other state agencies could also be explored, such as working with the Agricultural Experiment Station for research and demonstration projects.

There are many, many benefits associated with the protection of this agricultural resource:

- Active farming of the land keeps the land open and in production, reducing maintenance costs borne by the state;

- **The permanent protection of this land will help maintain critical mass and sustain local farmers;**
- **Compatible recreational uses, such as public hiking and bird watching along existing dirt roads that could be maintained and expanded.**

The Commissioner and the Farmland Preservation Advisory Board believe a plan maximizing the agricultural use of the property, while providing compatible multiple-use, will produce measurable benefits to the agricultural community, the general public and the natural resource itself.

The placement of a conservation easement on the STS farm and the management of the agricultural resources will be a lasting legacy.