



Conserving Connecticut. Connecting people to the land.

16 Meriden Road
Rockfall, Connecticut
06481-2961

T 860 346-TREE

F 860 347-7463

Email: info@ctwoodlands.org

www.ctwoodlands.org

Testimony of Eric Hammerling, Executive Director, Connecticut Forest & Park Association

Legislation before the Environment Committee on March 15, 2013	Support/ Oppose
RAISED S. B. 1015: AN ACT CONCERNING THE NEW ENGLAND NATIONAL SCENIC TRAIL.	Support with Change
RAISED S. B. 1011: AN ACT CONCERNING CERTAIN USER FEES AT STATE PARKS.	Support with Change
RAISED H.B. 6542: AN ACT CONCERNING THE PRESERVATION OF FARMLAND AT THE SOUTHBURY TRAINING SCHOOL.	Support with Change

The Connecticut Forest & Park Association (CFPA) is the first conservation organization established in Connecticut in 1895. CFPA has offered testimony before the General Assembly every year since 1897 on issues such as sustainable forestry, state parks and forests, trail recreation, natural resource protection, and land conservation.

I am here to testify in support of three bills today (see above), and I thank the Co-Chairs and Committee for bringing these important bills forward! For each bill, I have some small suggestions that should help the legislative language most closely match the legislative intent as I understand it.

Raised S.B. 1015

In 2009, Congress passed the Omnibus Public Lands Act, Public Law 111-11, which officially designated the New England Trail as a National Scenic Trail. With this designation, the New England Trail joined the Appalachian Trail and only 9 others in the U.S. to achieve this special distinction.

Modeling the language of S.B. 1015 on the language found in the CT General Statutes for the Appalachian Trail (C.G.S. Chapter 452 § 23-66 through 23-72), makes great sense and we strongly support this bill with one exception. We recommend that the words “eminent domain” be removed from line 6 of this bill. The reason for this suggestion is that eminent domain was a sticking point in Congress that stalled the passage of the National Scenic Trail designation bill, and specific language was inserted to clarify that “The United States shall not acquire for the trail any land or interest in land without the consent of the owner.” This federal language would not remove the possibility of the State exerting its eminent domain authority, but we don’t believe this would be in the “spirit” of the national scenic trail designation.

Raised S.B. 1011

We support the concept of this bill, and thank you for recognizing the need to raise revenues that would support ongoing operations and maintenance of the State Parks. We believe making a distinction between in-state and out-of-state fees may become exceedingly complex to sort out bureaucratically at the field level. For example, if you have a family reunion and rent a pavilion for a mix of in-state and out-of-state people, what is the fair way to handle this? It may be easier to just authorize DEEP to increase special event fees by up to 150% across the board.

Even if the Committee would like DEEP to retain the distinction between in-state and out-of-state fees, it is critical to ensure that the funds actually provide a direct benefit for the State Park system. We strongly recommend that the revenues raised under this bill continue to be directed into the DEEP Maintenance Repair and Improvement account. If they are not, we worry that the funds will disappear into the General Fund and will not result in any direct benefit for the Parks where the funds are raised.

Raised H.B. 6542

We support this bill and the position of the Working Lands Alliance (on whose Steering Committee I serve). Specifically, we strongly support the preservation in perpetuity of the farmland at the Southbury Training School through a conservation easement to a qualified nonprofit organization like the Southbury Land Trust. However, it is important to add that unless the holder of this conservation easement has the ability to enforce it against some future violation of the easement by the landowner (in this case, the State), it is almost meaningless. We recommend that some provision in the bill be made that will enable the State to relax its sovereign immunity to allow enforcement of this conservation easement by the easement holding organization.

Thank you for the opportunity to testify on these bills, and I am glad to respond to any questions you may have.