

# CONNECTICUT Land Conservation Council

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## Testimony in Support of H.B. 6542, S.B.1011 and S.B. 1015 (with modifications)

### To the Environment Committee

Submitted by: Amy Blaymore Paterson, Esq., Executive Director  
March 15, 2013

Senator Meyer, Representative Gentile, and members of the Committee:

Please accept this testimony on behalf of the Connecticut Land Conservation Council **in support of Raised H.B. 6542: An Act Concerning The Preservation Of Farmland at The Southbury Training School, Raised S. B. 1011: An Act Concerning Certain User Fees at State Parks, and Raised S. B. 1015: An Act Concerning The New England National Scenic Trail.**

The Connecticut Land Conservation Council (CLCC) works with land trusts, other conservation and advocacy organizations, government entities and landowners to increase the pace, quality and scale of land conservation in Connecticut while assuring the perpetual, high quality stewardship of conserved lands in the state. CLCC focuses on building land trust capacity and sustainability, leading a unified land conservation voice for public policies that support land conservation, and engaging broad constituencies to foster a deep understanding of the benefits and need for land conservation.

### **Raised H.B. 6542: An Act Concerning the Preservation of Farmland at The Southbury Training School**

Consistent with our conservation agenda, CLCC supports the preservation of the Southbury Training School – a state property with significant agricultural and conservation value – through a grant of a conservation easement to a nonprofit conservation organization, which we contend is the most effective means of assuring high quality stewardship and protection of conservation land *in perpetuity*.

We do, however, respectfully recommend two amendments to the bill which we contend would strengthen the preservation purposes of the transaction. First, CLCC concurs with the Working Lands Alliance that the bill include a waiver of sovereign immunity in order to best provide the easement holder with an unobstructed right to enforce the terms and conditions of the conservation restriction against the landowner (the state).

In addition, as the statewide umbrella organization for the land conservation community, CLCC recommends compliance with the Land Trust Alliance *Standards & Practices*, the national guide for legal and ethical standards for land trusts. To that end, CLCC suggests that the bill be amended to require a complete natural resource inventory and baseline documentation report for the land. Such a report would identify the agricultural and other natural resource attributes to be protected, and would document the condition of the property at the time the easement is put in place in order to better monitor changes to the land over time.

Finally, by way of a suggestion and not a proposed amendment – also in accordance with *Standards & Practices* - CLCC suggests that the state consider providing the Department of Agriculture with funding to establish a stewardship endowment to help ensure that the lands are managed in accordance with the terms and conditions of the conservation easement.

With these amendments, CLCC contends that the bill's use of a public-private partnership to achieve permanent land conservation -- through the grant of a conservation easement -- may serve as a model for future transactions as the state begins the broader process of identifying, prioritizing and protecting *in perpetuity* all state lands of high conservation value pursuant to P.A. 12-152.

We commend the Governor for his continued commitment to farmland preservation and would welcome the opportunity to provide further input as this important conservation transaction moves forward.

**Raised S. B. 1011: An Act Concerning Certain User Fees at State Parks**

CLCC supports the overall concept of this bill in recognition of the critical need to find additional sources of revenue to support the operation and maintenance of our State Park system. However, we do share the concerns raised in the testimony provided by Eric Hammerling, on behalf of the Connecticut Forest & Park Association (CFPA), fiscal sponsor of CLCC. In particular, we strongly concur with CFPA's recommendation that the revenues raised under this bill continue to be directed into the DEEP Maintenance Repair and Improvement account to ensure that the funds actually provide a direct benefit for the State Park system.

**Raised S.B. 1015: An Act Concerning The New England National Scenic Trail**

This bill reflects the state's recognition of the importance of the New England National Scenic Trail (NET) by providing the NET with the same level of statutory rights and obligations as have been accorded to the Appalachian Trail. The NET system is critically important to Connecticut's trail system and the lands surrounding the same. CLCC therefore supports S.B. 1015 and respectfully associates our testimony with the additional comments provided by CFPA.

On behalf of the Connecticut Land Conservation Council and our conservation partners throughout the state, we respectfully request the Committee to approve the foregoing bills, subject to the comments and recommendations provided herein. We thank you again for this opportunity to present our comments.