



State of Connecticut

HOUSE OF REPRESENTATIVES STATE CAPITOL

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Environment Committee
Public Testimony
Friday, March 7th, 2014

Testimony in Support of HB 5415 AN ACT CONCERNING THE AIR LINE STATE PARK TRAIL

Good Afternoon Senator Meyer, Representative Gentile, Senator Chapin, Representative Shaban, and esteemed members of the Environment Committee,

The Airline Trail State Park is an important asset in Eastern Connecticut. It is unique as it spans over 40 miles of an old railroad bed through many towns. It is a linear park, where thousands of people bike, walk, run, and even horseback ride thru changing scenery. In the winter it is also used by cross country skiers and for everyday use by dog owners and fitness enthusiasts. I am very supportive of the efforts to recognize this importance in statute. I know how unique and special this trail is, as I use the trail frequently—sometimes as much as three times a week.

However, there many areas of the bill that I do think need to be refined. They are reflected below:

- In Section 1(b) The Department of Energy and Environmental Protection is hereby authorized by purchase, gift, **{eminent domain}** or otherwise to acquire such land including, but not limited to, rights-of-way and easements for the purpose of protecting or enhancing scenic beauty, as may be deemed necessary to establish, protect and maintain the portion of the Air Line State Park Trail. **{provided the power of eminent domain shall not be utilized to acquire a strip of land bordering said trail no greater than two hundred feet in overall width.}**

We should follow the lead of those who advocated for the New England Trail and not use the force of eminent domain in securing our state land for open space and recreation. Most everyone

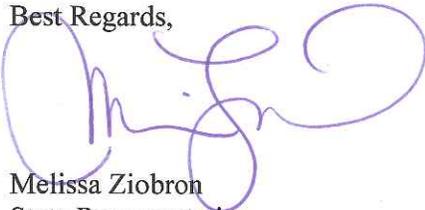
can agree on the importance of this Park and I am sure with friendly and honest engagement we can secure the property needed to extend its use. I understand that one town specifically has a number of private property owners and businesses along the trail; this should not be a cause to use eminent domain. Please refer CGS 23-67 for the specific language.

- (d) The Air Line State Park Trail shall be held, developed and administered **{primarily as a footpath}** **for the use of passive recreation, including all non-motorized forms of recreation** and the natural scenic beauty thereof shall be preserved insofar as it is practicable; provided other uses of the trail and lands acquired hereunder may be permitted, by the owner of adjoining lands or other, in such manner and in such seasons as will not substantially interfere with the primary use of the trail. Nothing in this section shall be construed to limit the right of the public to pass over existing public roads which are or may become part of the trail, nor prevent the department from performing such work as is necessary for the purpose of forest fire protection, insect, pest and disease control.

The term "footpath" is a dangerous one, as it leads to the false belief that this trail is only for walking. One of the most wonderful things about this park is the multi uses that occur. From thousands of bicyclists who ride it, to the horse enthusiast who use it for carriage rides, we should not limit it to that definition. We should always discourage motorized use of the trail and users are very knowledgeable about the unwelcome use of ATV's or dirt bikes.

Currently, the Town of East Hampton is partnering with DEEP in applying for federal grant dollars to extend the trail near the Portland town line. We should know in several weeks whether this effort will be successful. The town of Portland has been attempting to find funding to establish the public use of the trail, most of which is privately owned and has recently partnered with a group in Middletown. This group of folks would like to see the Portland trail complete and head to the Arrigoni Bridge to connect to thousands of Middletown residents who could then utilize the trail. The northern section of the trail needs improvement and many areas throughout the trail need ongoing maintenance. The trail has ongoing expansion and maintenance needs which this bill would help to contribute to.

Best Regards,



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34th District