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

Public Hearing Subject Matter	Position
RAISED H.B. 5550: AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND.	Undecided

Co-Chairs Jutla, Musto and Members of the Government Administration and Elections Committee:

The Connecticut Forest & Park Association (CFPA) is the first conservation organization established in Connecticut (1895). CFPA has offered testimony before the Legislature on issues such as sustainable forestry, state parks and forests, trail recreation, natural resource protection, and land conservation for over 115 years.

On HB 5550, I describe CFPA's position as "undecided" because this bill has, at times, become an end-of-the-session vehicle for trading, selling, or giving away state lands without adequate protections in place to protect the conservation values of these lands. As the saying goes, "if the only tool you have is a hammer, then every problem looks like a nail." The Conveyance Act is a hammer and it should be wielded carefully and used only as a last resort. Following are four recommendations on how to make this and future Conveyance Acts less controversial to the many people who are concerned about the impermanence of state conservation lands:

- 1) Ensure that when lands under the custody and control of the Department of Energy & Environmental Protection or Department of Agriculture are being considered for conveyance, sale, or trade, there is a public hearing before the Environment Committee. The Environment Committee is the committee of cognizance over these agencies, and should be given the explicit jurisdiction or at least the courtesy to receive public input when State Parks, State Forests, Wildlife Management Areas, prime agricultural lands, and other DEEP or DoAg lands with significant conservation values are being proposed for a conveyance.
- 2) Avoid actions that would expand, narrow, or remove the language of an existing deed restriction on the land. If deed restrictions are not treated as permanent by the General Assembly, then private citizens will not trust the State for long-term stewardship. Meddling with a deed so that the land use could include "municipal purposes" in Section 8 of the bill is asking for future mischief.
- 3) Avoid getting in the middle of a dispute between the State as a Lessor and a town or other entity as a Lessee. In Section 7 of this bill, giving a piece of State Forest property to a town rather than encouraging the State to conduct a timely negotiation of a lease is bad public policy. Why would the State want to lease any property for any community uses if that community at some point in the future is going to use the Conveyance Act to simply take the land?
- 4) Use a conservation easement conveyed to a third party, as is proposed in Section 11 of this bill, as the strongest mechanism to preserve the natural resources of the land even when the land ownership changes.

Thank you for the opportunity to testify. I would be glad to respond to any questions you may have.