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Testimony in Support of Raised S.B. 70 To the Environment Committee Submitted by: Amy Blaymore Paterson, Esq., Executive Director February 19, 2014

Co-Chairs Meyer, Gentile and Members of the Environment Committee:

Please accept this testimony on behalf of the Connecticut Land Conservation Council (CLCC) in strong support of **Raised S.B. 70, An Act Concerning the Preservation of Lands Under the Control of the Department of Energy and Environmental Protection (DEEP) and the Department of Agriculture (DoAg)**, which provides protections for state lands valuable for conservation and agricultural purposes.

CLCC works with land trusts (now numbering over 137), other conservation and advocacy organizations, government entities and landowners to increase the pace, quality, scale and permanency of land conservation in Connecticut while assuring the perpetual, high quality stewardship of conserved lands in the state. To that end, working to ensure that our state's conservation lands are protected *in perpetuity* is at the heart of our mission and thus an annual policy priority for CLCC. We are therefore greatly appreciative of the Committee's leadership in addressing this critically important issue and thank you for this opportunity to provide our comments.

The issue: State Conservation Lands are Largely Unprotected

The State holds over 255,000 acres of State Parks, State Forests, Wildlife Management Areas and other open space valuable for conservation and agricultural purposes. These lands were conveyed and acquired with an expectation that they will be permanently preserved in trust for the benefit of the public – yet they are largely unprotected.

As detailed by the CT Council on Environmental Quality Report, "*Preserved but Maybe Not: The Impermanence of State Conservation Lands*", most of the deeds to state open space lands, including those acquired through the Recreation and Natural Heritage Trust Program (General Statutes Section 23-74 *et seq*), do not include conservation restrictions (defined under General Statutes Section 47-42(a)) expressly providing for the dedication and protection of the land *in perpetuity*. The resulting vulnerability of these lands to conversion to non-conservation purposes is further exacerbated by a conveyance process that is severely lacking in public notice and an opportunity to be heard.



Raised Bill 70: A Major Step Forward in State Lands Protection

While a Constitutional Amendment would provide the strongest level of protection for our public lands, we recognize that such a step would require years of research and deliberation – an effort CLCC looks forward to supporting. In the interim, Raised Bill 70 would address many of the foregoing deficiencies and make an impact this year in our efforts to permanently protect state lands by: 1. Classifying lands under the custody and control of DEEP and DoAg as “land of high conservation value” unless the Commissioners make a written determination to the contrary; 2. Clarifying that it is the policy of the State to preserve these lands and their resource values; 3. Requiring DEEP and DoAg to include a conservation restriction in the deed for lands of high conservation value; and 4. Providing for a more comprehensive and transparent state land conveyance process.

State Conservation Lands are an Investment Worth Protecting

CLCC and our partners in a State Lands Working Group have been studying the issue of state lands protection for over two years. The research and information that we have collected not only confirms the need for appropriate legal protections for our state conservation lands but also underscores the critical importance of these lands to Connecticut’s culture and economy. Study after study provides mounting evidence that protected lands are wise investments that pay significant short and long-term dividends for local and state economies.

Raised Bill 70 will help to protect the millions in public and private investments that have already been made in acquiring the lands that protect our air and water, provide for critical habitat, enable us to grow our food, generate revenue through business and tourism, and provide the public with an opportunity to recreate and enjoy the landscapes that make Connecticut so special. Most importantly, however, passage of Raised Bill 70 will restore confidence that lands conveyed and acquired by the state for conservation purposes will be preserved in trust for the public’s benefit *in perpetuity*.

On behalf of the Connecticut Land Conservation Council Steering Committee and the members of Connecticut’s broad-based conservation community, thank you again for your leadership in support of land conservation and this legislation.