



## **Connecticut Association of Conservation and Inland Wetlands Commissions, Inc.**

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### **TESTIMONY TO THE CONNECTICUT GENERAL ASSEMBLY, ENVIRONMENT COMMITTEE PUBLIC HEARING Wednesday, February 19, 2014**

The Connecticut Association of Conservation and Inland Wetlands Commissions, Inc (CACIWC) is pleased to submit testimony on the following two bills:

**S.B. No. 70 (RAISED) AN ACT CONCERNING THE PRESERVATION OF LANDS UNDER THE CONTROL OF THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION AND THE DEPARTMENT OF AGRICULTURE. &**

**S.B. No. 72 (RAISED) AN ACT CONCERNING LIABILITY FOR THE GROWING OF RUNNING BAMBOO.**

CACIWC appreciates the Committee's decision to hold a public hearing on these bills and offers the following comments to assist the committee in their deliberations:

**S.B. No. 70 (RAISED) AN ACT CONCERNING THE PRESERVATION OF LANDS UNDER THE CONTROL OF THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION AND THE DEPARTMENT OF AGRICULTURE.**

CACIWC has long been supportive of efforts to preserve important habitats in Connecticut especially those lands of high conservation value. Our member conservation commissions work to identify, index, and preserve critical habitats within their municipalities, while our member inland wetlands commissions endeavor to protect wetlands and watercourses within their towns. While state conservation lands are not directly managed by local conservation commissions, these parcels all add to the greater network of preserved land necessary to maintain critical habitats that can support a diversity of threatened and other important species. The importance of preserving these lands in perpetuity cannot be understated. CACIWC strongly supports legislative efforts to accomplish this task, as these efforts will also maintain confidence that acquired or donated lands will remain preserved.

To this end, CACIWC strongly supports SB 70, as it will:

- Classify lands under the custody and control of the State of Connecticut Department of Energy and Environmental Protection (DEEP) and the Department of Agriculture (DoA) as "land of high conservation value," unless the Commissioners of these agencies make a written determination to the contrary;
- Emphasize that it is the policy of the State of Connecticut to preserve these lands and their important natural resource values;

- Require the DEEP and the DoA to place a conservation easement or other restriction on the deed for lands of high conservation value; and,
- Transform the state land conveyance process into a more transparent process.

CACIWC is pleased to see that our member inland wetlands commissions are included in Section (i) (6) [line 154] of the proposed bill. We strongly recommend that municipal conservation commissions also be listed in this section.

CACIWC also seeks clarification of some aspects in the proposed bill, including the addition of language to:

- define the criteria and characteristics of "land of high conservation value" and which agency will make this determination;
- define by what criteria state agencies will be able to characterize new acquired parcels as "land of high conservation value," or determine that existing parcels are no longer defined as "land of high conservation value;"
- define the process and criteria by which state agencies can determine that agriculture, forestry, and recreational activities could be allowed on these lands if "consistent with such land's status as land of high conservation value."

### **S.B. No. 72 (RAISED) AN ACT CONCERNING LIABILITY FOR THE GROWING OF RUNNING BAMBOO.**

A major focus of CACIWC's education and outreach efforts has been promoting the identification and control of invasive species by municipal conservation commissions and their agents and partners. While *Phyllostachys* species do not fall within the statutory definition of invasive, CACIWC is aware of various Connecticut sites where the aggressive spreading of these species has occurred. CACIWC supports the intent of this bill, as it will establish both a liability and a duty to contain running bamboo that has the potential to spread beyond the boundaries of a property into important open space and conservation areas, regardless of when the bamboo was planted and by whom. Since many inland wetlands and watercourse enforcement officers do not have the resources to carry out the enforcement authority provided by this bill, CACIWC suggests adding authority to recover costs similar to that specified in Section 22a-44 (b) of the general statutes. CACIWC also urges that the bill be strengthened by the inclusion of a ban on the sale and planting of aggressively spreading *Phyllostachys* species of running bamboo.

CACIWC again appreciates the opportunity to provide testimony on these important legislative issues. The CACIWC Board of Directors will be pleased to provide additional information, as requested, in support of this testimony.

*CACIWC is a non-profit organization working to protect Connecticut's wetlands, watercourses, and other natural resources through support and education of the 2000+ volunteers and staff that carry out the responsibilities of Connecticut's Conservation Commissions and Inland Wetlands Commissions. CACIWC, representing its member commissions, works with municipalities and environmental groups to promote public support for the judicious management and conservation of Connecticut's natural resources. For additional information contact Alan J. Siniscalchi, President at [board@caciwc.org](mailto:board@caciwc.org) or visit [www.caciwc.org](http://www.caciwc.org).*