



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

**STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

Public Hearing – February 19, 2014
Environment Committee

Testimony Submitted by Interim Commissioner Robert J. Klee

Raised Senate Bill No.70 – AAC THE PRESERVATION OF LANDS UNDER THE CONTROL OF THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION AND THE DEPARTMENT OF AGRICULTURE

Thank you for the opportunity to present testimony regarding Raised Senate Bill No.70 – AAC THE PRESERVATION OF LANDS UNDER THE CONTROL OF THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION AND THE DEPARTMENT OF AGRICULTURE. The Department of Energy and Environmental Protection (DEEP) welcomes the opportunity to offer the following testimony.

Responsible stewardship of the lands held by DEEP is at the core of DEEP's mission. DEEP holds lands for the public's benefit for recreational uses and for purposes of conserving and protecting the natural resources of the State. DEEP currently has in excess of 250,000 acres of land under its custody and control. While the vast majority of DEEP's land has been acquired for, and is used to support, public recreation and resource conservation and preservation, other lands are, in whole or in part, used to support various operational needs of DEEP.

Over the past five years DEEP has directly acquired 1,485 acres of prime open space including the 454 acre Mason property adjoining the Belding Wildlife Management Area in Vernon. DEEP also acquired a property in Morris to build a public boat launch on Bantam Lake, the state's largest natural lake. In 2012, with a combination of bond and Community Investment Act funds, DEEP awarded almost \$9 million dollars in grants to help municipalities and land trusts protect 2,688 acres of open space. We anticipate similar open space grant funding will be awarded this calendar year.

Furthermore, DEEP has been working closely with the Office of Policy and Management (OPM), the General Assembly and environmental stakeholders on the 2013-2018 Plan for Connecticut (also known as the State Plan of Conservation and Development) and the Green Plan, which together provide a statewide framework to ensure that our state's important land resources are conserved. DEEP, OPM, and environmental stakeholders are also working together to develop better Geographical Information

System (GIS) data on statewide open space and conservation lands that can ultimately be shared across all levels of government.

DEEP shares some of the concerns expressed by stakeholders and advocates about protecting the lands and landscapes important to us all. To that end, over the past year, DEEP has met numerous times with open space advocates and stakeholders to discuss ways to improve the protection and preservation of state lands under the custody and control of DEEP. During that time, DEEP has also kept advocates and stakeholders informed of the steps we are taking to further our shared goal of acquiring and protecting valuable resources and properties for posterity, as illustrated above.

Unfortunately, while we fully appreciate the goal of the bill to better protect valuable lands, we do not believe that much of the approach set out in Senate Bill 70 is practically workable. DEEP would suggest that a more workable and ultimately more valuable approach would be to precisely define the characteristics of lands of “high conservation value” or lands that are “valuable for conservation” in plain language so that all branches of government in Connecticut could embrace and use such a defined term.

In addition, subsection (h) raises significant and complicated legal issues related to the state's real estate interests that would require further examination in conjunction with the Office of the Attorney General and perhaps federal sponsors of land acquired by the department on behalf of the State.

We look forward to continuing the dialogue with advocates and members of the Environment Committee and the General Assembly about these and other issues raised by Raised Senate Bill 70. (Please note, our comments are limited to the portions of bill concerning DEEP lands and we defer to the Commissioner of Agriculture on land rights held under their purview.)

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact Robert LaFrance, DEEP's Director of Governmental Affairs, at 860.424.3401 or Robert.LaFrance@ct.gov.