

Public Hearing – February 19, 2014
Environment Committee

Testimony Submitted by: Donald H. Smith, Jr., 213 Prospect Avenue, Meriden, CT 06451

Raised Bill 70

AN ACT CONCERNING 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 Bill No. 70.

I support this well-crafted bill and recommend one amendment.

I retired in April, 2008 after sixteen years as the Director of the Department of Environmental Protection's Division of Forestry. During that tenure, I also held the statutory title and authorities of State Forester.

My experience has been that the citizens of this state commonly believe that the lands overseen by the Department of Energy and Environmental Protection (DEEP) and the Department of Agriculture (DOA) will be retained in perpetuity and forever protected from development. Since 1903, with the first acquisition of land for a State Forest in Portland, that has also been the expectation of the many landowners who, when faced with a choice between selling their land for development, passing their land to their heirs, or conveying their land to the State, made the specific, reasoned choice to have their lands become part of the system of conservation lands administered by DEEP or DOA.

I find that this bill honors not only their expectations – but also their legacy. This bill will enhance the protections afforded to the network of forests, farms and recreation lands that will contribute so much to the quality of life in Connecticut for our children and generations to come.

I think it is particularly appropriate that both existing State-owned lands and future acquisitions be afforded the protection of a conservation easement. However, it is important that such conservation restrictions allow for professionally-guided natural resource management and appropriate recreational development.

I do recommend the amendment of Section 1, Subsection (f), as follows:

(f) For the purposes of this section, any land or interest in land that is under the custody or control of the Department of Energy and Environmental Protection or the Department of Agriculture shall be deemed to be a land of high conservation value except that the Commissioners of Energy and Environmental Protection and Agriculture, individually, may determine that any land or interest in land that is under the custody or control of such commissioner is not a land of high conservation value. Any such determination [shall be based upon an examination of the subject land completed by appropriate natural resource management professionals within the previous five (5) years,] shall be made in writing and shall state the reasons for such a determination.

I believe this additional wording is necessary to ensure that a determination that land is not of high conservation value will be science-based, rather than subjective.

Thank you for the opportunity to present testimony on this proposed bill.