

The following testimony was offered by the DEEP in response to HB 6998. The following responses in yellow clarify testimony offered:

Section 15 of the bill proposes to convey a ten-year easement for Basley Road Materials, LLC for a private gravel haul road over the Quinebaug Management Area in exchange for twenty thousand dollars and the future conveyance of an approximately 48 acre parcel after gravel excavation is complete on this offered parcel. A similar request was denied by DEEP in 2015 for the following reasons:

Initial Response: The CT DEEP has not provided any final response or determination to the applicant; rather CT DEEP has indicated that an overall issue regarding access over state property was to be resolved. If a denial had been received it would have been referenced in the testimony offered. Basley Road Materials, LLC has provided the February 10, 2015 letter from DEEP which indicate that State-listed species may occur in the vicinity of State-owned Quinebaug Wildlife Management Area which did not reference a denial.

- This site is listed as habitat for endangered species, and the use of the property as a roadway would be harmful to species and its environment by modifying and reducing the viability of the habitat. As such, authorizing the use of the land for a road would also be in conflict with Connecticut General Statutes 26-310 and 26-311.

Response Bullet 1: This assertion is inconsistent with the CT DEEP NDDDB database. Further, the CT DEEP has not provided any specific species or concerns with respect to the proposed or ongoing traverse of the land. The attached DEEP map demonstrates that habitats are a minimum of 1650 feet from the proposed easement therefore the statutes cited do not apply. Should "potential habitat" be the concern, Basley Road Materials proposes that an additional 30 acres of permanent land that could be protected is adequate mitigation for a 10 year temporary easement.

- Private use of the State land would limit DEEP's ability to open the area to hunting and to manage wildlife on the property, which was the intended purpose of its acquisition.

Response Bullet 2: The applicant disagrees with DEEP's conclusion. The property as it exists today is a closed sand & gravel pit that is frequently used by off road vehicles. In fact, the large majority of the proposed easement is located on an existing dirt road. The site surfaces are significantly disturbed so the proposed use would have no affect. Further, the easement is temporary, and would not prevent the sites use for hunting presently should the department ever make it available.

- The offered parcel is currently maintained as a field. However, the transfer of the land to DEEP is contemplated after mining operations are complete. Given the impact of mining operations on the property, the offered parcel would not likely provide for conservation of wildlife habitat and would not hold great potential for wildlife management.

Response Bullet 3: The applicant would be willing to offer the south-westernmost area (10 acres) of the land, in its current natural state, within 90 days of receipt of all approvals for the project. The balance of the property to be conveyed after removal of gravel would be of the same condition and character as the property to be crossed.



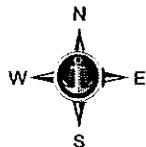
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**DETAILED SITE MAP**  
PREPARED FOR BASLEY ROAD MATERIALS  
SHOWING  
NATURAL DIVERSITY DATABASE AREAS



2010  
CONNECTICUT  
ORTHO\_PHOTO



ATTACHMENT

PROJECT  
1008-BD

DATE  
MAR. 2015