



**FOR THE ENVIRONMENT COMMITTEE
PUBLIC HEARING TESTIMONY OF RIVERS ALLIANCE OF CONNECTICUT
February 18, 2016**

Rivers Alliance of Connecticut is the statewide, non-profit coalition of river organizations, individuals, and businesses formed to protect and enhance Connecticut's waters by promoting sound water policies, uniting and strengthening the state's many river groups, and educating the public about the importance of water stewardship.

SJ-5

**RESOLUTION PROPOSING AN AMENDMENT TO THE STATE CONSTITUTION
CONCERNING THE ENVIRONMENT AND NATURAL RESOURCES OF THE STATE**

To: Sen. Ted Kennedy Jr. and Rep. James Albis, Chairmen; and Honorable Members of the Environment Committee

We urge the Committee to support the goal of SJ-5 to provide assurance that state lands held for conservation, agriculture, and recreation cannot be conveyed out of state stewardship to any party -- municipality, private business, or individual -- careful scrutiny and strong approval, both at the state and local levels.

For several years, we have tracked the annual Conveyance Act, both for Rivers Alliance and for the League of Conservation Voters. We are one of the founding members of the State Lands Working Group. Our experience has been that important sections of these annual conveyance bills are often extremely difficult to understand, much less evaluate. The location of a proposed conveyance, the present uses, the desired future uses, the intended new owner, etc., often are not explained at all or not described in plain language. The more complex conveyances can require several hours of research to clarify. Frequently, DEEP has not heard about proposed conveyances until the bill or an amendment to the bill appears, and so they cannot provide much early enlightenment. All too often, calls to residents are futile because the residents haven't heard of the conveyance either.

About five years ago, working with the Connecticut Land Conservation Council, we first discovered that nearly all (and maybe simply "all") state conservation lands are liable to be conveyed away. Their deeds include no barriers to conveyance. Land that people widely assumed had been preserved in perpetuity, land in which the public had a major investment, was not protected at all.

Originally we thought it possible to solve the problems with the Act by means other than a Constitutional Amendment. But every option we considered, in consultation with colleagues, state agency people, the AG's office, and legislators, failed to achieve the desired result, which is: No conveyance of state conserved land without full deliberation in the CGA and in the affected local region, with a higher level of approval needed than for, say, conveyance of a DOT turn-around area. The reason for the failure of other options was the legislature's right to propose legislation (including land conveyances) at any time (up to and through budget implementer season) and not withstanding any law that would otherwise prohibit or limit the legislation. Our goal is not to prohibit all conveyances of state conserved lands, but rather to be sure such conveyances are understood by all concerned and deemed to have a valuable public benefit. (We regard a clean, healthy environment as a public benefit, a view not universally shared.)

The proposed Constitutional Amendment will enable legislators to understand what they are voting for, when supporting a conveyance, and to be sure that they are not lightly removing the land from the public trust.

To achieve true transparency and due process for the public, we ask that the Resolution include a provision for a public hearing in the community in which a conveyance is proposed. We are also concerned by the sweeping statements of purpose in and following the preamble. It provokes questions and confusion unnecessarily. A simple statement of the steps needed for transparency and adequate review would be much easier to explain and promote.

Many thanks for raising this important Resolution.

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