



State of Connecticut  
SENATE

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*S.J. 5, Resolution Proposing An Amendment to the State Constitution Concerning the Environment and Natural Resources of the State*

Senator Kennedy, Representative Albis, Senator Chapin, Representative Shaban, and members of the Environment Committee, thank you for raising **S.J. 5 Resolution Proposing an Amendment to the State Constitution Concerning the Environment and Natural Resources of the State**.

The infamous Haddam Land Swap law has been repealed, but it remains fresh in the memories of the people I represent in the 33<sup>rd</sup> Senate District.

It provided that the state could enter into an even swap of 17.4 acres of a state-owned, wildlife management area in Haddam, for an 87-acre track of woodlands adjacent to Cockaponset State Forest in Higganum, owned by a private developer.

There was no money involved in the swap. The entire deal was a pure swap, one parcel of land for another.

I know many of you feel – as I feel – that the Connecticut River is one of the most beautiful rivers in the world.

The state's 17.4 acres of land in the swap overlooks the Eagle Landing State Park.

A short distance away, you have an amazing view of the Haddam swing bridge and the historic Goodspeed Opera House across the Connecticut River.

During the 2011 land swap debate, Senator McKinney asked why the state hadn't taken a position on the swap.

Sen. Meyer also questioned why the deal had not been vetted by the state.

Sen. Meyer asked why the swap had not been examined to see if the state would be getting fair value in the trade.

My colleague in the House, Representative Phil Miller, who represents Haddam, also took exception to the swap.

He noted that the 2011 law “presupposes that the legislature would first convey what is clearly conservation land, as though it were surplus, to a private developer.”

He noted that the swap would set a precedent – a precedent which would undermine the foundation of our conservation policies.

After it passed, that 2011 law was met with disappointment in the towns I represent.

Conservationists were upset.

Sportspeople were upset.

People from all walks of life were disappointed.

And that disappointment centered around what can be summed up in two words:

The Process.

Many citizens of Haddam and surrounding towns felt disenfranchised.

Why?

Because not a single local Board or Commission ever had the subject of the swap on their agendas.

No town-sponsored public forum was ever convened.

And I give tremendous credit to Representative Miller, environmentalists, conservationists and so many others for having the courage to speak out.

Some people called the deal a “Scarlet Letter” on the state’s environmental record.

And they were absolutely right.

The 2011 Haddam Land Swap law was irresponsible. The process was not followed. The people’s voice was taken away.

The good news is we have since permanently repealed the land swap law.

**And today, I want to thank this committee for scheduling this hearing to discuss such an important environmental protection issue.**

**This is a first-of-its-kind effort to better ensure protection of state-owned forests, parks, farmland and other conservation lands.**

Having said that, I do believe that parts of the legislation before you are too broad.

To create an amendment that is strong, clear and enforceable, **I join with Sen. Witkos in drawing the Committee's attention to** the following concerns we have with S.J. 5 as currently drafted:

- It does not include agricultural land as land that must be protected.
- It does not require a separate special act to convey protected land, and thereby does not address the problems raised when land conveyances are all bundled into one bill.
- It does not require a hearing in the affected town or towns.
- It does not require that replacement land be in *proximity* to that which is lost.
- It does not include reasonable exceptions such as for minor boundary adjustments, small parcels used for a specific public purpose, and transfers that keep the land protected.

In light of these issues, we have included language below that would resolve these concerns. The attached language includes the following key elements:

- There must be a 2/3 vote by each chamber in favor of selling the space.
- There must be a public hearing in the town or towns where the lands are located.
- Any legislation allowing for the sale of an open space property must be a standalone bill. This will prevent sales from being incorporated into much larger conveyance or implementer bills, which are often rushed through the legislature.
- All money received for any transfer, sale or conversion of land must be used solely to replace it with similar land to be used for open space, parks, forests or farms. This will preserve the amount of open space currently owned by the state. The new land acquired by the state must be similar in conservation, recreation, or agricultural value to the land being sold. It also must be in as close proximity as possible. In addition, the fair market value of any land sold must be appropriated in the same bill that authorizes the sale to pay for the state's acquisition of similar open space.

Thank you again for your attention to this important effort.