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March 14, 2016

Environment Committee
Connecticut General Assembly
Legislative Office Building
Hartford, Connecticut

Re: Public hearing on March 14, 2016 on S. J. 36, Resolution proposing an amendment to the state constitution to protect certain property held or controlled by the state for conservation, recreation, open space or agricultural purposes

Dear Members of the Government Administration and Elections Committee:

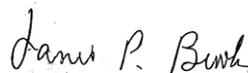
Thank you for the opportunity to submit this letter into the public hearing on S. J. 36. I submit this letter in support of the resolution. I write this from the perspective of someone who has practiced environmental law in the state since 1981, with eighteen years in the Attorney General's Office representing DEP and enforcing the state environmental laws, followed by a decade in private practice focusing on environmental and land use law. I have also co-authored Volume 15 of the Connecticut Practice Series devoted to the Connecticut Environmental Protection Act.

As a member of the Council on Environmental Quality since March 2009, I participated in the development of CEQ's report, *Preserved but Maybe Not – the Impermanence of State Conservation Lands*. The need for a constitutional amendment arises because lands in state ownership with conservation value have repeatedly been the legislative subjects of Conveyance bills with no transparency to the public of bills which swap, give away or sell state land without consideration of the conservation values being lost. With customary Conveyance bill introductory language of “(n)otwithstanding any provision of the general statutes . . .” there is no legislative fix that would prevent future Conveyance bills reappearing with similar language.

The appropriate procedure is to amend the state constitution. S.J. 36 is an excellent vehicle to accomplish that protection.

Thank you for consideration of my comments.

Sincerely,



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