

C O N N E C T I C U T
Land Conservation Council

Testimony
Senate Bill Nos. 1248 and 1249
Government Administration and Elections Committee
Submitted by Amy Blaymore Paterson, Executive Director
May 8, 2023

Co-Chairs Flexer and Blumenthal, Vice-Chairs Slap and Morrin Bello, Ranking Members Sampson and Mastrofrancesco, and members of the Government Administration and Elections Committee:

The Connecticut Land Conservation Council (CLCC) is the state's umbrella organization for the land conservation community, including its ~130 land trusts. We advocate for land conservation, stewardship and funding, and work to ensure the long-term strength and viability of the land conservation community in Connecticut.

Thank you for this opportunity to submit comments regarding Senate Bill Nos. 1248 and 1249.

I'd like to preface my comments by expressing my appreciation to the GAE Committee and staff for providing the public with access to the applications, questionnaires, maps, and other information related to each of the proposed conveyances well in advance of the public hearing. Having an opportunity to review this information provides greater transparency and an opportunity for informed public input into the land conveyance process.

As a coalition organization, CLCC works with Connecticut's robust land trust community as well as DEEP, municipalities, and other entities committed to land conservation and addressing climate change at every level. CLCC was a member of the Governor's Council on Climate Change (GC3) Forests Sub-Group, a member of the Policy on Resilient Forests for Connecticut's Future (PRFCT Future) Working Group and the GC3 Resilient Infrastructure and Nature-based Solutions Working Group.

The *GC3 Phase 1 Report: Near-Term Actions* (January 2021), *Governor's Executive Order No. 21-3* (December 2021), as well as a multitude of GC3 Natural and Working Lands (WNL) Working Group reports ('collectively "GC3 Recommendations"') recognize that our state's forestlands, wetlands, other natural areas, and working lands are among our strongest defenses against the impacts of climate change. The benefits of these nature-based climate solutions to public health, the economy, and environment include, but are not limited to protecting biodiversity, reducing the risks and impacts of flooding, filtering pollutants from the air and water, and absorbing and storing carbon.

It is essential that these benefits are considered at every level of planning and management of our state's natural resources, including through the consistent application of state and local laws that were enacted to protect them to the greatest extent possible. It is also critical to quantify the ecosystem services of the trees, forests, wetlands and other natural areas that will be lost through the future uses of the properties when determining the fair market value of the property proposed for conveyance.



It is through that lens that I offer the following comments regarding SB Nos. 1248 and 1249.

SB 1248, An Act Conveying a Parcel of State Land in the Town of East Haddam, proposes the conveyance of a parcel (.94 acre) of land from the Department of Transportation to the municipality for establishing a permanent farmers' market to be operated by the East Haddam Agriculture Commission. Based on the information provided in the questionnaire and supporting documents, the property is described as 100% forest and shrubs, with springs, streams, watercourses, and/or wetlands. The proposed development is located within the regulated area (100 ft. of a wetland soil or watercourse). We therefore suggest that the conveyance include a condition that the plan be subject to the review and approval of the town's Inland Wetlands and Watercourse Commission and include any conditions to mitigate against the impacts of the development upon the inland wetlands and/or watercourses located on the site.

SB 1249, An Act Conveying a Parcel of State Land in the Town of Cheshire, proposes the conveyance of a parcel (2.5 acres) of land from the Department of Emergency Services and Public Protection to the town of Cheshire for economic development purposes. There is no detail offered with respect to the intended use of the property in order to assess the public benefits of the conveyance. This information is especially important when a property contains valuable natural resources or is located in an area that requires special protections from proposed development activities, as is the case with the property proposed for transfer by this bill.

Based on information provided in the questionnaire and supporting documents, the parcel is located in an Aquifer Protection Area (APA) – defined as the land area that contributes ground water to active public water supply wells (or well fields) that serve more than 1,000 people.¹ APAs are essential to protecting groundwater that provides water for drinking, agriculture, and other uses. Pursuant to Connecticut General Statutes, certain new and existing development activities in an APA are subject to local regulations and are required to register and follow best management practices.

Without details regarding the future “economic development” use of the Cheshire property, it is impossible to assess impacts on the APA. We therefore request that the conveyance include a condition that the development activity be subject to the review and approval of the town's Aquifer Protection Agency (Planning and Zoning Commission) and include any conditions to ensure conformance with Cheshire's Aquifer Protection Regulations.

Thank you for this opportunity to provide these comments. I am happy to answer any questions you may have.

¹ [CT ECO Resource Guide Aquifer Protection Area](#)