

CONNECTICUT
Land Conservation Council

Testimony
House Bill Nos. 5520 and 5522
Senate Bill No. 460
Government Administration and Elections Committee
Submitted by Amy Blaymore Paterson, Executive Director
April 9, 2024

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 statewide umbrella organization for the land conservation community, including its ~120 land trusts. Our mission is to elevate and strengthen land conservation in Connecticut.

Thank you for this opportunity to submit testimony regarding House Bill Nos. 5520 and 5522 and Senate Bill No. 460.

I'd like to thank the GAE Committee and staff for again providing the public with timely access to the applications, questionnaires, maps, and other information about each proposed conveyance before the public hearing. This transparent approach fosters informed public input and underscores the public's crucial role in the land conveyance process.

In all capacities, CLCC's goal is to safeguard our natural and working lands, prioritize the vital role of nature-based solutions in mitigating the escalating effects of the inter-related crises of climate change and biodiversity loss, and ensure that everyone everywhere has access to the benefits of nature. These benefits must be considered at every level of planning and management of our state's natural resources, which are held in public trust with a responsibility to protect them to the greatest extent possible.

Through that lens, I offer the following testimony in opposition to the following conveyance bills:

HB 5520, An Act Concerning the Conveyance of a Parcel of State Land in the Town of Berlin, proposes the conveyance of ~2.7 acres of a 47.77-acre parcel of the Lamentation Mountain State Park Scenic Reserve from the Department of Energy and Environmental Protection (DEEP) to a private entity for continued use for access drives and accessory structures. The application describes the property as 72.6% forested and is shown on the survey as an area of DEEP's property that the receiving party has encroached upon.

Irrespective of the circumstances surrounding the encroachment and the parcel size to be transferred, CLCC is concerned that this conveyance may establish a precedent for how DEEP addresses encroachments on its lands, which are entrusted to the state for the benefit of the public. In addition, we are concerned about whether accepting fair market value and administrative costs constitutes adequate consideration compared to the potential entitlements the state could pursue under Connecticut General Statutes Section 52-560a, which includes restoration and damages.



We urge the Committee to consider the broader implications of this conveyance, emphasizing the importance of upholding the public trust vested in state-owned lands and ensuring equitable outcomes in such transactions.

HB5522, An Act Concerning the Conveyance of a Parcel of State Land in the Town of Woodstock, proposes the conveyance of 19.3 acres of state forest from DEEP to YMCA of Metropolitan Hartford to benefit YMCA Camp Woodstock for seasonal recreation and camp-related activities. The property, described as 95% forested and 5% water (containing wetlands and watercourses), is adjacent to Camp Woodstock's existing property across the road.

While acknowledging the benefits of supporting a YMCA camp, we are concerned that the proposed property use ("seasonal recreation and camp-related activities") and the associated development potential are vague and overly broad. This lack of specificity regarding the property's end-use limits the ability to evaluate the conveyance's public benefits and discern the circumstances triggering a right of reversion to the state.

To that point, we are concerned by the applicant's response of "unknown" to whether the State Natural Diversity Database (NDDDB) has identified the site as within an area containing endangered, threatened, special concern species, and significant natural communities. Such information is pivotal in assessing potential environmental impacts and necessitates a definitive response or, at a minimum, an explanation of why the information is unavailable.

We urge the Committee to consider whether sufficient information exists to properly evaluate the environmental impacts and public benefits of this proposed conveyance of state forest land.

SB 460, An Act Concerning the Conveyance of a Parcel of State Land in the Town of Enfield, proposes the conveyance of 14.5 acres of 283.3 acres from the Department of Corrections to the Town of Enfield for recreation (soccer fields) or open space purposes. According to the application, the subject property is described as "mostly wetlands" within the Freshwater Brook Watershed, containing grasslands, and identified by the NDDDB as an area containing endangered, threatened, special concern species, and significant natural communities. The application also shows a large parking area (~ 341 parking stalls) proposed on the subject parcel. While we support end uses that provide public access to open space and recreation, we are concerned about a site in an environmentally sensitive area being developed and maintained for active recreational uses, like soccer fields with associated parking.

We urge the Committee to consider whether sufficient information exists to properly evaluate the environmental impacts and public benefits of this proposed conveyance, given the potential for destruction of valuable habitats and ecosystems.

Overarching comment regarding how consideration for the conveyance is determined: We note the transactions proposed by HB Nos. 5518 and 5522 and SB 460—and properties in other bills that are not the focus of our comments—are not being conveyed for fair market value. While we are pleased to see that the transactions will be subject to the review of the State Properties Review Board, it would be helpful for the public to understand why some public lands are proposed for sale for fair market value when others are being conveyed for administrative costs or no consideration at all.

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