



2015 CONSERVATION AGENDA FOR THE LAND & PEOPLE OF CONNECTICUT

2015 PRIORITIES SUMMARY

- 1) Pursue legislative and policy improvements to protect publicly-owned conservation, recreation, and agricultural lands; for example:
 - a. Require a public hearing before the Environment Committee if State Forest, Park, or Agricultural lands are proposed for conveyance.
 - b. Encourage DEEP and DoAg to place protective measures (e.g., a conservation restriction) on public conservation, recreation, and agricultural lands.
 - c. Expand authority of State Properties Review Board to require review of land records and deed restrictions when evaluating a legislative conveyance.
 - d. Promote a Constitutional Amendment that mandates a transparent process for considering conveyances of public lands acquired for conservation, recreation, and agricultural purposes.
- 2) Eliminate 70% cap on federal/state matching grants for open space and agricultural land preservation as required in C.G. S. 7-131g(c).
- 3) Dedicate revenues from cabin rentals in State Parks to help offset ongoing cabin maintenance costs.
- 4) Refill depleted Forestry, Land Acquisition, and Parks vacancies at CT DEEP.
- 5) Provide municipal option to provide a property tax credit or deduction for donation of easement to protect a trail corridor.
- 6) Require Planning & Zoning Commissions to consult with Municipal Tree Wardens to ensure planting plans do not conflict with the “Right Tree, Right Place” concept.
- 7) Support Community Investment Act & Bonding for Open Space, Agricultural Lands, and Trail Conservation.
- 8) Support key Federal programs that further environmental education and the conservation of forests, open space, and trails.

CFPA Public Policy Committee Members

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CFPA's 2015 Conservation Agenda Priorities Analysis

1) Pursue legislative and policy improvements to protect publicly-owned conservation, recreation, and agricultural lands.

Without a conservation restriction attached to the land on the land records, your State Forests and Parks are vulnerable to the “Conveyance Act,” a legislative mechanism which the General Assembly uses every year to sell, trade, or give away public lands. Many of these annual conveyances are not harmful (e.g., sometimes this process is used to clarify a boundary between state and municipal or private lands), but at times, there are proposals to give away portions of State Parks and Forests to municipalities or private interests that eat away at the public's confidence in Government.

In 2014, a section of American Legion State Forest was given to the town of Barkhamsted (this conveyance is currently in dispute because this parcel may have been donated to the state with a deed restriction from the original land donor). In 2013, a section of public land managed with Hammonasset Beach State Park was given to the town of Madison. There are many more examples available at <http://ctwoodlands.org/ProtectYourStateLands>. One of the backstops written into the Conveyance Act (presumably to evaluate the legality of a proposed conveyance) is a technical review by the State Properties Review Board (SPRB). However, the current authority of the SPRB does not clearly authorize the SPRB to review legislative conveyances. The authority for the SPRB to review legislative conveyances should be clarified to give the public confidence that existing deed restrictions, conservation easements, or other restrictions on state lands are not being violated.

CFPA's Public Policy Committee recommends that the best solution to protect vulnerable public lands is a Constitutional Amendment that requires the Conveyance Act process to become more transparent. Without a Constitutional Amendment, the General Assembly will continue to suspend its own rules, limit public input and awareness, and at times make decisions that are not fully evaluated or in the best interests of the public. CFPA's recommendation echoes the call for a Constitutional Amendment by the CT Council on Environmental Quality published in its important January, 2014 report, “[Preserved But Maybe Not: The Impermanence of State Conservation Lands.](#)”

2) Eliminate 70% cap on federal/state matching grants for open space and agricultural land preservation as required in C.G. S. 7-131g(c).

Since 1999, Connecticut has had a goal of protecting 21% of its land as open space by 2023. To meet this goal for land not owned by the State, DEEP grants funding to municipalities, water companies, and land conservation organizations through both the Open Space and Watershed Land Acquisition Program and the Community Investment Act. Although the State does not know exactly how much land has been preserved, it is clear that we are short of this goal, and the progress toward the 21% goal is not proceeding quickly enough. What we do know is that State open space grants in 2013 helped protect 1,068 acres, but even that is far short of the goal that would roughly require protecting over 6,000 acres/year.

Given the open space acquisition goal we are now pursuing, why would the State make it more difficult to conserve land?! Unfortunately, C.G.S. 7-131g(c) makes it more difficult for municipalities, water companies and land conservation organizations to protect open space by capping the combination of grant funds from the State and Federal governments at 70% of the appraised value of the land. That means that the organizations that are trying to protect valuable conservation, recreation, and agricultural lands have to raise at least 30% of the value of the land in non-state, non-federal funding.

There are some communities that can find that required 30% local match from wealthy individuals or from municipal funds, but there are many that cannot. If the goal is conserving more land, we ask the General Assembly to eliminate the 70% cap by removing the last sentence in C.G.S. 7-131g(c) which currently reads “A potential grantee may use funds made available by the state and federal government to fund not more than seventy per cent of the total cost of any project funded under the program.”

3) Dedicate revenues from cabin rentals in State Parks to help offset ongoing cabin maintenance costs.

The 100 year anniversary of the State Parks was celebrated in 2013-2014, and one tangible legacy of the centennial is the construction of 100 cabins in the State Parks for public enjoyment. Unfortunately, the rental revenues from these new cabins are going to the General Fund and do not assist DEEP with the maintenance, repairs, and improvements necessary for these structures.

CFPA's 2015 Conservation Agenda Priorities Analysis

In 2014, the Program Review and Investigations Committee recommended that the revenues from the cabin rentals be dedicated to the maintenance of those cabins. We ask the General Assembly to act on this recommendation from the Program Review and Investigations Committee and dedicate revenues from cabin rentals in State Parks to the CT DEEP Maintenance, Repair, and Improvement account.

4) Refill depleted Parks, Forestry, and Land Acquisition vacancies at CT DEEP.

Parks: In 2014, the General Assembly supported budget increases for 6 Park Maintainers and 3 Park Supervisors for the State Parks, and to refill several vacant Environmental Conservation Officer positions. At current time, seven of these nine positions are caught in a budget-related hiring freeze. We ask the administration to fill all of these positions approved during the 2014 legislative session.

We also ask the Administration and General Assembly to address staff shortfalls in two additional critical areas at CT DEEP – Forestry and Land Acquisition.

Forestry: The Forestry Division is responsible for managing 170,000 acres of State Forests for multiple benefits – demonstrating best management practices, drinking water protection, recreation, sustainable timber harvest, wildlife, reducing wildfire risks, and many others. In addition to providing these benefits, the State Forests also generates approximately \$400,000 each year from sustainable harvest revenues. Forest Management Plans (updated every 10 years) are critical tools for managing the State Forests. However, due to chronic staff shortfalls, there are up-to-date Forest Management Plans on only 40% of the State Forests. Without an up-to-date Forest Management Plan, CT DEEP does not allow sustainable harvests to take place. This hurts both the health of the forests and local forest economies that depend upon them. To bring 75% of the Forest Management Plans up to date within the next 5 years would require the hiring of 3 forest technicians.

The Forestry Division is also the State leader (along with UConn Extension) on working with private landowners to receive technical assistance and develop forest management plans. Approximately 90% of the forests in Connecticut are privately owned, and the needs for assistance are significant for more than 10,000 private forest landowners who own properties of 10 or more acres. Well-managed private forests in Connecticut also create jobs in the forest industry and sustain a maximum of benefits for communities.

We request the appropriation of \$275,000 to accommodate the hiring of 3 forest technicians and the refilling of at least 1 Service Forester position (the Service Forester positions are partially offset with matching federal funds). Altogether, this would likely support the sustainable forest management of an additional 60,000 acres of public lands, and another 8,000 acres of privately-owned forests each year.

Land Acquisition: Land Acquisition and Management is responsible for acquiring lands for the State (Recreation and Natural Heritage Program), giving grants to municipalities, water companies, and land conservation organizations to protect open space (Open Space and Watershed Land Acquisition Program), guiding the State's land protection priorities through the Green Plan, and building a Public Use and Benefit Land Registry. At current staff levels, CT DEEP is unable to juggle all of these existing and new responsibilities effectively.

Land Acquisition and Management has diminished to only 5.5 full-time staff, compared to more “fully-staffed” levels closer to 10 professionals just 4 years ago. Last year, the Recreation and Natural Heritage Program only acquired 467 acres, and this falls far short of the 6,500 acres/year (estimated in several CT CEQ reports) that would enable the State to meet its portion of the 21% goal. Falling short is both due to inadequate staff as well as funding levels.

Although we are very excited about the recently authorized Public Use and Benefit Land Registry, the requirement to add 3 State Parks by January, 2015 and another 4 State Parks every quarter to an online, searchable database is painfully slow (although it is realistic given current staff constraints). With the current 109 State Parks, this basic inventory would not be complete for another 7 years for the State Parks alone, and would not yet scratch the surface of the state's many State Forests and Wildlife Management Areas. We recommend an addition of 3 full-time positions (2 property agents and 1 supervisor) in Land Acquisition and Management to enable the State to increase the pace and effectiveness of land conservation in Connecticut.

5) Provide municipal option to provide a property tax credit or deduction for donation of easement to protect a trail corridor.

People want to live near trails and beautiful open spaces. According to a 2008 National Association of Home Builders study, "Trails consistently remain the #1 amenity sought by prospective homeowners." The CT SCORP (State Comprehensive Outdoor Recreation Plan) emphasizes that people desire trails more than all other types of recreational amenities. There is also a growing recognition of the economic, health, and quality of life benefits associated with having protected and well-managed forests, parks, and trails.

We ask the General Assembly to support giving municipalities an option to provide a property tax credit or deduction for the donation of a conservation easement that would protect a trail corridor in perpetuity.

6) Require Planning & Zoning Commissions to consult with Municipal Tree Wardens to ensure planting plans do not conflict with "Right Tree, Right Place" concept.

For over a century, municipal tree wardens have been responsible for the "care and control" of trees in the public right of way in every community. In many towns, the municipal tree warden is the only person who has some professional knowledge about what it takes to keep community trees healthy. Over the past couple of decades, municipal tree wardens as well as utilities and others have rallied around the concept of "right tree, right place"; i.e., ensuring that the right species of tree to meet landowner, community, utility, and other goals is planted or replanted in the right location for maximum long-term benefits.

Unfortunately, many towns and town commissions do not utilize the expertise of their tree wardens in reviewing planting plans for newly proposed housing and commercial developments. This level of review should help avoid future conflicts that would otherwise arise if the wrong species of trees were planted next to roads, beneath power lines, in transportation lines-of-sight, et cetera. We ask the General Assembly to support legislation that would require Planning and Zoning Commissions to consult with their municipal tree wardens when reviewing planting plans to ensure "right tree, right place" is considered.

7) Support Community Investment Act & Bonding for Open Space, Agricultural Lands, and Trail Conservation.

In 2014, the Administration and General Assembly supported funding for the Community Investment Act, the Open Space and Watershed Land Acquisition Program, and the Agricultural Land Preservation Program. We ask that these critical programs be supported at least at current levels for the next biennium.

We also strongly support the proposal by the Administration to establish a new \$5 million Local Trailway Fund to address the high public interest as well as the community health, economic, and recreational needs for more trails.

8) Support key Federal programs that further environmental education and the conservation of forests, open space, and trails.

There are several federal programs that are essential to support CFPAs priorities in environmental education as well as in the conservation of forests, open space, and trails. We recommend that Connecticut's Congressional Delegation support fully authorized funding levels for the following programs: USDA Farm Bill (Conservation Title programs); USDA Forest Service - Forest Legacy Program; Land and Water Conservation Fund (LWCF); No Child Left Inside Act (new proposed legislation); New England Trail funding through the National Park Service; and the U.S. Department of Transportation/FHWA Recreational Trails Program.



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