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Testimony of Eric Hammerling, Executive Director, Connecticut Forest & Park Association

Public Hearing Subject Matter	Position
Raised H.B. 6679: AAC THE LEASE OF A PARCEL OF STATE LAND IN THE CITY OF MILFORD.	Support

The Connecticut Forest & Park Association (CFPA) is the first nonprofit conservation organization established in Connecticut in 1895. For over 125 years, CFPA has offered testimony before the General Assembly on various State Park and Forest, trail recreation, sustainable forestry, and land conservation issues.

I am testifying today to express CFPA’s support for HB 6679, and to provide some comments on the importance of the process you manage that is so critical to sustain a high standard of sunlight and transparency related to public land conveyances as required in the state constitution.

HB 6679: AAC the Lease of a Parcel of State Land in the City of Milford

The Connecticut Audubon Society has been the steward of this property for 25 years serving as both the onsite operator of the Milford Point Coastal Center and the maintainer of the 8-acre nature preserve that surrounds it.

Connecticut Audubon’s considerable past and ongoing investments in this nature center and its grounds represent a significant public benefit, and the mission of Connecticut Audubon is clearly compatible with the state’s interest in how this property is managed for both human visitors and wildlife. Indeed, without Connecticut Audubon on site, DEEP might be struggling with the costs and responsibilities associated with maintaining the facility and grounds. It is a testament to Connecticut Audubon’s commitment to the Milford Point site that their organization has continued to make annual investments in facility maintenance and property stewardship for several years without having a renewed lease agreement in place.

I am tempted to make a quip about Connecticut Audubon clearly being much more interested in “Least Terns” than “Lease Terms,” but instead I will just strongly encourage your support of this bill to resolve the unfortunate impasse over lease renewal that has already dragged on for too long. This is not a controversial proposal and should have strong bipartisan support to meet the 2/3rds vote required in both chambers.

Comments on Public Land Conveyances and Process

State-owned properties have significant financial and societal values and importance to taxpayers who collectively own them. That is why – thanks to the support of the General Assembly and almost 85% of Connecticut voters – the State Constitution was amended in 2018 to ensure a higher standard of transparency by requiring public input before public lands are sold, swapped, or otherwise conveyed through an act of the General Assembly. This public hearing today is a critically important first step to ensure sunlight in the public lands conveyance process.

Article XXXIII of the State constitution requires the following basic process (the specific language of the constitutional amendment is also included at the bottom for reference):

1. A public hearing on individual bills for each proposed public land conveyance; and
2. A 2/3rds vote by each chamber for lands held on behalf of the public by the Department of Energy & Environmental Protection (e.g., State Parks and Forests, Wildlife Management Areas, etc.) or the Department of Agriculture (e.g., state-owned agricultural lands). A simple majority vote is required on public land conveyances from state agencies other than DEEP or DoAg.

To ensure transparency for the public as the legislative process moves forward -- especially if there are any changes made to the bills being considered before you today -- we hope the Committee will continue its commitment to ensuring appropriate public input throughout the session. Of course, 2020-2021 has been a challenging year for this Committee to take additional measures to ensure transparency (such as making available the applications from entities who requested the public land conveyances on the agenda today in advance of this public hearing). We are always glad to work with Committee leadership and staff moving forward to help ensure your high standard for ensuring public input on public land conveyances continues, and to help the public better understand the importance of your diligent efforts.

Thank you for the opportunity to testify today, and I'm glad to respond to any questions you may have.

Constitution of the State of Connecticut: Article XXXIII

(Legislation requiring state agency to sell, transfer or dispose of real property or interest in real property.)

Article third of the Constitution is amended by adding section 20 as follows:

Section 20. (a) The general assembly shall not enact any legislation requiring a state agency to sell, transfer or otherwise dispose of any real property or interest in real property that is under the custody or control of such agency to any person or entity other than another state agency unless a committee of the general assembly has held a public hearing regarding such sale, transfer or disposition of such property or interest and the act of the general assembly requiring such sale, transfer or disposition of real property or interest in real property is limited in subject matter to provisions concerning such sale, transfer or disposition.

(b) In the case of real property or an interest in real property that is under the custody or control of the Department of Agriculture or the Department of Energy and Environmental Protection, or a successor agency of either department, in addition to complying with the requirements of subsection (a) of this section, any act requiring the sale, transfer or disposition of such property or interest shall pass upon roll call by a yea vote of at least two-thirds of the total membership of each house.