

PA13-231

SB1015

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2013**

**VOL.56
PART 28
9391 - 9742**

On page 30, Calendar Number 642, favorable report of Joint Standing Committee on Judiciary, Substitute Senate Bill 1015, AN ACT CONCERNING THE NEW ENGLAND NATIONAL SCENIC TRAIL.

DEPUTY SPEAKER SAYERS:

Representative Gentile.

REP. GENTILE (104th):

Thank you, Madam Speaker, and good afternoon.

Madam Speaker, I move for acceptance of the Joint Committee's favorable report and passage of the bill.

DEPUTY SPEAKER SAYERS:

Question before the Chamber is acceptance of the Joint Committee's favorable report and passage of the bill.

Representative Gentile, you have the floor, ma'am.

REP. GENTILE (104th):

Thank you.

Madam Speaker, this bill requires the Department of Energy and Environmental Protection to preserve and maintain Connecticut's portion of the New England National Scenic Trail. It gives DEEP the right to acquire land when appropriate for the trail, and it

specifies further that any other agency can transfer land to DEEP for specification on the trail.

Madam Speaker, with that, the Clerk is in possession of LCO Number 7609. I ask that the Clerk please call and I be granted leave to summarize.

DEPUTY SPEAKER SAYERS:

Will the Clerk -- will the Clerk please call LCO Number 7609 and it shall be designated Senate Amendment Schedule "B"?

THE CLERK:

Senate Amendment Schedule "B" LCO 7609 introduced by Senators Williams, Looney, et al.

DEPUTY SPEAKER SAYERS:

The Representative seeks leave of the Chamber to summarize. Is there any objection to summarization? Is there any objection?

See -- hearing none, Representative Gentile, you may proceed with summarization.

REP. GENTILE (104th):

Thank you, Madam Speaker.

Madam Speaker, this is a simple amendment really that simply adds the Connecticut Antiques Trail to be identified and marketed by DECD with the assistance of

the regional tourism districts. And Madam Speaker, I urge passage.

I move adoption.

DEPUTY SPEAKER SAYERS:

Question before the Chamber is adoption of Senate Amendment Schedule "B". Will you remark on the amendment? Will you remark on the amendment that is before us?

It -- if not, let me try your minds. All those in favor of Senate Amendment Schedule "B" signify by saying, aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER SAYERS:

Those opposed, nay.

REPRESENTATIVES

Nay.

DEPUTY SPEAKER SAYERS:

The ayes have it.

The amendment is adopted.

Will you remark further on the bill as amended?
Will you remark? Will you remark further on the bill as amended?

Representative Shaban of the 135th.

REP. SHABAN (135th):

Thank you, Madam Speaker.

I rise in support of the bill as the chairwoman said, it provides for transfers and appropriate land uses and also gets some liability protection. Overall a good effort to promote our scenic trails, and I urge adoption.

DEPUTY SPEAKER SAYERS:

Representative Ziobron of the 34th.

REP. ZIOBRON (34th):

Thank you, Madam Speaker.

I also rise in strong support of this bill. It does two things. One, is it helps us maintain our scenic vistas throughout Connecticut by making sure that we promote and protect the 220 miles of the New England National Scenic Trail. Also, what's kind of exciting is the fact that once it gets to New Hampshire there has been a lot of discussion about bringing it then to the headwaters of the Connecticut River.

The other reason I stand in strong support is because of the Antique's Trail in the Connecticut River Valley. We have an abundance of small businesses, antique dealers and to have the ability

for funding to show those maps for our antique dealers will help the tourism in my district. And I urge support.

Thank you.

DEPUTY SPEAKER SAYERS:

Representative Hovey of the 112th.

REP. HOVEY (112th):

Thank you, Madam Speaker.

A question to the proponent of the bill.

Through you.

DEPUTY SPEAKER SAYERS:

Please frame your question, ma'am.

REP. HOVEY (112th):

Thank you, Madam Speaker.

Through you, Madam Speaker. I just wanted to inquiry -- inquire about the trail itself. It's my understanding the majority of the trail is a foot trail and I am wondering if there will also be areas of this trail that will be multi-use trails? And as the gentlewoman knows, I am an equestrian, so I'm especially interested in whether or not there will be portions of the trail that equestrians will be allowed on?

Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Gentile.

REP. GENTILE (104th):

Through you, Madam Speaker.

The good Representative is correct. It is primarily a footpath, but other uses may be permitted.

DEPUTY SPEAKER SAYERS:

Representative Hovey.

REP. HOVEY (112th):

Thank you, Madam Speaker.

And I thank the gentlewoman for her answer.

DEPUTY SPEAKER SAYERS:

Representative Alberts of the 50th.

REP. ALBERTS (50th):

Thank you, Madam Speaker.

I too rise in support of the bill now amended before us. We have a strong concentration of antique stores in Northeastern Connecticut and I believe this will go a long way towards supporting them, so I'm glad to see the addition to the bill.

Thank you.

DEPUTY SPEAKER SAYERS:

Will you remark? Will you remark further on the bill as amended?

If not, will staff and guests please come to the Well of the House? Members take their seats and the machine will be open.

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll. Will members please return to the Chamber immediately?

DEPUTY SPEAKER SAYERS:

Have all the members voted? Have all the members voted?

Please check the board to see that your vote has been properly cast.

If all the members have voted, then the machine will be locked and the Clerk will take a tally.

THE CLERK:

146, 0, 4.

DEPUTY SPEAKER SAYERS:

The Clerk will announce the tally.

THE CLERK:

In concurrence with the Senate -- as a Substitute
Senate Bill 1015 as amended by Senate "B"

Total Number Voting	146
Necessary for Passage	74
Those voting Yea	146

Those voting Nay 0
Absent and not voting 4

DEPUTY SPEAKER SAYERS:

The bill is amended, passes in concurrence with the Senate.

Will the Clerk please call Calendar Number 517?

THE CLERK:

Calendar Number 517, favorable report of the Joint Standing Committee on Judiciary, Substitute House Bill 6692, AN ACT CONCERNING THE COURT'S AUTHORITY TO DENY AN APPLICATION FOR WAIVER OF COURT FEES.

DEPUTY SPEAKER SAYERS:

Representative Fox.

REP. FOX (146TH):

Thank you, Madam Speaker.

I move for acceptance of the Joint Committee's favorable report and passage of the bill.

DEPUTY SPEAKER SAYERS:

Question before the Chamber is acceptance of Joint Committee's favorable report and passage of the bill.

Representative Fox, you have the floor, sir.

REP. FOX (146TH):

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Will you remark further on the bill?

SENATOR CASSANO:

Seeing none I would ask --

THE CHAIR:

Senator Cassano.

SENATOR CASSANO:

Mr. President, I would ask to be placed on the Consent Calendar.

THE CHAIR:

Without objection, so ordered. Mr. Clerk.

THE CLERK:

On page 42, Calendar 301, substitute for Senate Bill Number 1015, AN ACT CONCERNING THE NEW ENGLAND NATIONAL SCENIC TRAIL, Favorable Report of the Committee on the Environment.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Thank you, Mr. President. The majority leaders refer to this bill --

THE CHAIR:

Can you move the bill, Senator?

SENATOR MEYER:

Yes, I'm sorry. I move acceptance of the Committee's Joint and Favorable Report and move passage of this bill.

THE CHAIR:

On acceptance of passage for remark.

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SENATOR MEYER:

I will. I was just about to say that the Majority Leader has characterized this bill as Roy Rogers' Happy Trails Bill, and indeed it is that, as you're going to hear.

Colleagues, this bill does two things. We're going to have an amendment in a moment. The first is that it recognizes what Congress did several years ago in creating the New England Scenic Trail. And it permits our towns and also the Department of Economic and Community Development and other -- and Department of Energy and Environmental Protection to -- to improve that trail by adding easements to it, by acquiring land adjacent to it, by adding rights of way, by enhancing scenic beauty to the trail. And all this is contained in -- in an amendment -- let me see -- I'll get to the amendment in a moment.

So the bill, as I say, enhances the New England Scenic Trail in those manners. In addition, there is an amendment, which is LCO 7471, and I would ask the Clerk to kindly call that.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 7471, Senate "A", offered by Senators Williams, Looney, et al.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Mr. President, I'm going to withdraw that amendment and refer to a subsequent amendment, which is LCO --

THE CHAIR:

On withdrawal.

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SENATOR MEYER:

I'd like to withdrawal that amendment, if I could.

THE CHAIR:

Without objection, so ordered.

SENATOR MEYER:

And ask the Clerk kindly to call a subsequent amendment which is LCO 7609. I apologize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 7609, Senate "B" is offered by Senators Williams, Looney, et al.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

I move the amendment.

THE CHAIR:

On adoption, will remark.

SENATOR MEYER:

Thank you. This is an amendment that's joined by many of the people in the Circle. I think the original idea came in from Senator Kane. It creates another trail. That creates an Antiques Trail. And the Department of Economic and Community Development is directed under this bill to make that kind of trail by identifying, for example, major antique dealers, communities that have a high concentration of -- of antique dealers, auction houses, and the like. It's going to make Connecticut an even better place in which to live. So that's what this bill does. And -- and I encourage your support of it.

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THE CHAIR:

Thank you, Senator. Will you remark further?

SENATOR MEYER:

I just -- I'd like to yield to Senator LeBeau.

THE CHAIR:

Senator LeBeau, would you accept the yield?

SENATOR LEBEAU:

Yes, I would, Mr. President, good to see you. Good afternoon, and thank you, Senator, for the yield, and thank you for bringing out this amendment. And we want to thank Senator Kane for his efforts on this. This has been a bill we've looked at for the last couple years. And I think we've gotten it down to the language that we currently want.

As we've spoken in the past about the historic structures and Connecticut's great history. But we also have a lot of pieces of those history, and we can call those antiques. And I'm not talking about any particular persons, I'm talking about artifacts that are pieces of our history that are still here today. If you think about Hitchcock chairs, you think about clocks, there are so many -- there are so many pieces of our history. Both our industrial history, but also our history of craftsmen and artisans who have been in the state and who have been tremendous contributors to our economy in the past, and today still contribute. Because the sales of those products are still highly valued in -- in and around Connecticut and in and around the whole world, as a matter of fact.

So we have, and we have a strong group of antique dealers all over the state. And this -- and what this bill seeks to do is to create an Antiques Trail that would complement our Wine Trail and our -- I think it's called our Beer Trail also. We're going to have wine, beer, and antiques. It's going to be a great time on that trail. So we're going to -- we're helping our -- our tourism to -- to help sponsor, to show, to highlight some of the best things that we have. We were talking the other day about craft

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breweries, our wineries, our Antiques Trail.

We have tremendous assets in this state, and with the Connecticut Still Revolutionary Campaign, we have a tremendous opportunity to capitalize on this, and again I want to thank Senator Kane for bringing this idea forward and for staying with it while we've been able to work this out. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Senator Kane.

SENATOR KANE:

Thank you, Mr. President, good afternoon.

THE CHAIR:

Good afternoon, sir.

SENATOR KANE:

I too want to stand up and raise my voice in favor of this amendment and wish to thank Senator LeBeau and Senator Meyer. Certainly both of them have been extremely helpful in the passage of this legislation.

This bill, as Senator LeBeau mentioned, is something that I've been working on for a number of years. A couple years back through the Commerce Committee we were able to get signage posted on Interstate 84 directing people to what I thought at the time, and I still believe, the capital of the antiques world, if you will, is centered in Woodbury, because there has to be well over 20-30 antiques dealers. But what I found in talking to people throughout the Circle is that we have antique dealers throughout all of Connecticut in the southeast corner, of course in the northwest corner, well beyond even that area, even up in Hartford and Tolland Counties and beyond.

So this is something, as Senator LeBeau mentioned, not only has to do with our culture, our tourism, our history, but certainly our economic development as people will travel far and wide to do their antiquing in the State of Connecticut, which in turn leads to ancillary dollars to our restaurants, to our hotels, to our gas stations, our

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dry cleaners, and you could go on and on and on the amount of dollars that this brings in. So I am very happy that we're doing this legislation today. The idea certainly wasn't just mine. It came from actually a person in my district that is on the Local Economic Development Commission, and thought this would be a good idea to help promote. So I again want to thank the bipartisan effort here, Mr. President, and look forward to passage of the bill.

THE CHAIR:

Thank you, Senator. Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President. I appreciate that. I stand in strong support of the amendment and want to thank Senator Kane for his years of work that's gone into it and your constituent and constituents who is have urged you to do the same. Senator Meyer, thank you for your support here. Senator LeBeau, you and I have had many, many conversations about this. It honestly got off to a slow start, but seemed to pick up some momentum, and I think most everybody, if not everybody is on board, the concept.

Connecticut is a unique place, and it has a lot of history here, and there is a new marketing campaign -- relatively new marketing campaign in place now in which this concept of an Antiques Trail fits hand in glove. I think it's something that helps with the impression that we give to visitors coming from outside the State of Connecticut, whether it's other states or importantly European visitors. We have a lot of them coming to the metropolitan area, New York metropolitan area, and they seem to always want to make a trip to Connecticut, and most of them end up doing that because we have this wonderful, quaint whitewashed village impression amongst many European visitors. And this, I think, will enhance the -- the tourism experience of many of these different people.

And it also rekindles some interest amongst Connecticut state residents already who may have a passion for antiques, but don't really have the time or the inclination to go seek these places out. When you put something like this on the map and create some marketing material and distribute that material, people tend to get off of their

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sofas, and get out and do something that is a lot of fun, apparently which is look for antiques. And if there's one other thing I might recommend, I recommend if anybody's going to take these trails, I recommend doing the Beer Trail first, then the Antiques Trail. Sales will be much larger. Thank you.

THE CHAIR:

Thank you, Senator. Will you remark further on the amendment? Will you remark further on the amendment? If not, I'll try your minds. All those in favor please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed nay. The ayes have it, Senate Amendment is adopted. Remark further on the bill as amended. Remark further on the bill as amended. Senator Meyer.

SENATOR MEYER:

Thanks, Mr. President. So that's the bill. It's two happy trails. One for good hiking and the other for good antiques. And I urge your support, and if there's no further comment, Mr. President, may you add it to the Consent Calendar.

THE CHAIR:

Without objection, so ordered. Mr. Clerk. Senator Looney.

SENATOR LOONEY:

I thank you, Mr. President. Mr. President, I would like to mark as an additional go item for a little bit later, and that's Calendar page 15, Calendar 466, the House Bill 5602, and in the meantime if we might stand at ease for a few moments, because we are awaiting delivery of a couple of amendments on bills that were passed temporarily earlier. We should have them in a short while, and we'll be ready to resume.

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Mr. Clerk.

THE CLERK:

On page 3, Calendar 202, Senate Bill 979. Calendar 215, Senate Bill 912. On page 15, Calendar 466, House Bill 5602. Page 35, Calendar 106, Senate Bill 916. Page 36, Calendar 120, Senate Bill 803 And Calendar 121, Senate Bill 918. On page 37, Calendar 132, Senate Bill Number 79, and Calendar 138, Senate Bill 886. On page 38, Calendar 196, Senate Bill Number 961. On page 39, Calendar 233, Senate Bill 995. On page 42, Calendar 301, Senate Bill 1015. Page 44, Calendar 385, Senate Bill 1070. Page 47, Calendar 504, House Bill 5345. And on page 48, Calendar 367, Senate Bill 804.

THE CHAIR:

I apologize. At this time, Mr. Clerk, seeing no objection, will you call for a roll call vote and the machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Immediate roll call has been ordered in the Senate.
Senators please return to the Chamber.

THE CHAIR:

Have all members voted? All members have voted? The machine will be closed. Mr. Clerk, will you call a tally please?

THE CLERK:

On today's Consent Calendar,

Total number voting	36
Those voting Yea	36
Those voting Nay	0
Absent and not voting	0

THE CHAIR:

The Consent Calendar passes. Senator Looney, you have

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you want to add to that?

DEPUTY COMMISSIONER SUSAN WHALEN: Good morning,
Mr. Chairman. I have two bills to testify on.

SENATOR MEYER: Good morning.

DEPUTY COMMISSIONER SUSAN WHALEN: So if you'd like
to take that now or --

SENATOR MEYER: Why don't we take your testimony
now before we take questions.

DEPUTY COMMISSIONER SUSAN WHALEN: That's fine.

Good morning, members of the committee. My
name is Susan Whalen. I'm the deputy
commissioner of environmental conservation for
the Department of Energy and Environmental
Protection. I'm here to testify on two bills;
Senate Bill 1015, AN ACT CONCERNING THE NEW
ENGLAND SCENIC TRAIL. The DEEP supports this
bill which would confer the same rights and
obligations to the New England National Scenic
Trail as conferred to the Appalachian National
Scene Trail. We do ask for a slight
modification to the bill which is presented in
our written testimony that we feel would help
avoid any confusion with other authority
currently resting with the Commissioner to
acquire property.

SB1020

In Connecticut, the New England Scenic Trail
comprises 39 communities from the Long Island
Sound to the Massachusetts state line. It's
stewardship is performed by the Connecticut
Forest and Park Association and volunteers and
willing landowners. The route showcases
classic New England landscapes featuring
long-distance vistas, agrarian lands,
unfragmented forests and large river valleys.
The trail also travels through important

Native American and colonial historical landmarks and highlights a range of diverse ecosystems and natural resources including rock ridges, mountain summits, forested glades, water pools, lakes, streams and waterfalls.

We at the DEEP work closely with the Connecticut Forest and Park Association and other partners to support recreational trails. We recognize the important role that a recreational and scenic trail plays in the quality of life and the opportunities for recreation for our citizens and we believe the New England Scenic Trail is worthy of this distinction and we urge the committee's support.

The second bill I'd like to testify on is Senate Bill 1020, the interstate wildlife violator compact. The national compact of states was created in 1989 to promote compliance with laws, regulations, ordinance, resolutions and administrative rules that relate to the management of wildlife resources in respective member states. Since 1989, 39 states have joined the compact and another and another five are in some state of passing legislation to join. I have a map here that demonstrates in red, yellow and green just how many member states there are in the compact. This was a compact that was initiated in the western part of the United States and like many things at initiate in the west, it's gradually making its way eastward.

So the compact member states recognize the suspension of hunting, fishing and trapping licenses. So that's to say if a person loses their right or privilege to hunt, fish or trap in any of the compact member states, they can lose those same rights and privileges in other

somewhere within the realm of what our neighbor and kind of partner states on each permit so -- and sometimes that can vary as much as between \$100 and \$2300 between New York and New Jersey, it's amazing, for the same permit, but simultaneously understanding the fee relationship between the different types of permits so make sure that we're not sure overburdening someone who has to take an individual permit versus a general permit and make sure all those price strata are coordinated in the correct way.

So we haven't done the analysis because we're not yet implementing. We're going to have to do that on a general permit by general permit basis, but we will do the analysis.

SENATOR CHAPIN: And would that be done internally or would that be done through regulation as to how you set those fees?

DEPUTY COMMISSIONER MACKY MCCLEARY: I believe the answer is internally, but not sure. I can get back to you on that.

SENATOR CHAPIN: Okay. Thank you. And not to leave you out, Commissioner Whalen, regarding the National Scenic Trail, I think there are a number of people in this building who get a little concerned when we see proposals where we're giving the state additional powers to take land by eminent domain. Would these be -- would envision encompassing properties along the trail or would it be further way to protect scenic vistas and things like that?

DEPUTY COMMISSIONER SUSAN WHALEN: Our recommendation is to eliminate the language that speaks to eminent domain so that's not something that we support as part of this bill. The notion is to acquire by willing

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sellers land along the trail.

SENATOR CHAPIN: And -- so right after the words "eminent domain" it says "or otherwise to acquire such land" I guess that could be stricken as well --

DEPUTY COMMISSIONER SUSAN WHALEN: Yes.

SENATOR CHAPIN: -- because there is already a provision in there to purchase.

DEPUTY COMMISSIONER SUSAN WHALEN: Yes.

SENATOR CHAPIN: Thank you.

Thank you, Mr. Chairman.

SENATOR MEYER: Any other questions?

Thanks so much.

DEPUTY COMMISSIONER MACKY MCCLEARY: One last thing I did forget to say. Susan mentioned a couple of drafting suggestions that we have. We have a couple of drafting suggestions both on 10/19 on 6536 as well, which we've put in the written testimony so hopefully the committee will take close look at those. Thanks.

SENATOR MEYER: We will watch for that. Thanks.

DEPUTY COMMISSIONER MACKY MCCLEARY: Thanks.

SENATOR MEYER: Our next witness will be Commissioner Reviczky followed by Greg Wideman.

Good morning, Commissioner.

COMMISSIONER STEVEN K. REVICZKY: I am Steve Reviczky and I'm the Commissioner of the

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SENATOR MEYER: Okay. All right. The next bill we're going to hear is the Southbury Training School conservation easement bill, and our first witness is Amy Paterson.

AMY PATERSON: I am here.

SENATOR MEYER: Hi.

AMY PATERSON: Thank you very much, Senator Meyer, Representative Gentile, and Members of the Committee. I appreciate the opportunity to testify here today in support of this important bill. At the outset, again, for the record, my name is Amy Paterson, and I am the executive director of the Connecticut Land Conservation Council.

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But at the outset, just in case I run out of time, I wanted to also extend my appreciation to the Governor and Commissioner Revitsky for their support of this important bill. It's a real step forward for land conservation here in Connecticut.

As most of you know, CLCC works with land trusts, other conservation and advocacy organizations, government entities, and landowners to increase the pace, quality, and scale of conservation here in Connecticut. So the concept of perpetuity is central to what we do.

In fact, next weekend, Saturday is our conference, our 29th annual conference, and the theme this year is perpetuity. And I'm going to leave some extra brochures with the clerk before I leave. I hope to see all of you there.

In the last year, we have been focusing at CLCC along with several of our partners on the

natural resource inventory, to be done at the time of the transaction. As the umbrella organization for the land conservation community, we work with land trusts throughout the state. There are 137 of them now.

And we work to ensure that they are in compliance with the National Land Trust Alliance Standards and Practices, which are the guidelines for ethical and legal standards for land trusts to follow. And perpetuity is as much about the legal mechanisms that we put in place at the outset as it is about the proper stewardship of the property.

A baseline documentation report and a requirement that one be done would ensure that the condition of the property is properly documented and the condition meaning not only its state but also the resources that are on there are properly documented at the outset and that the holder of the easement would then have that document as it moves forward, and it would better help to monitor the condition of the land into the future.

Commissioner Revitsky had talked about the fact that the agency was going to be working on such documentations, and we are so thrilled to hear that. And we believe that putting something like that in this legislation would ensure that future commissioners and future agencies would also follow that same guide.

In short, and I do have two other bills. I'm not going to talk about them here. They are in my written testimony. It's S.B. 1011 and S.B. 1015. We support those with qualifications and echo the comments of the Connecticut Forest and Park Association on that. But I thank you so much for this

opportunity. This is a very exciting moment for (inaudible).

SENATOR MEYER: And the documentation you're suggesting is having some data within the bill describing the property and the condition of the property, is that --

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AMY PATERSON: No, I wouldn't suggest that that type of detail be appropriate for the bill, but what I would suggest is that the concept of a natural resource inventory and baseline documentation report be codified, that that wouldn't be required, so that whenever a, and this is in all land deals that involve conservation easements according to the standards and practices.

It's a tool, it's a cornerstone of conservation easement transactions. And it really ensures that not only is there a proper inventory of the resources but helps with stewardship of those resources in putting the proper plans in place. But moving forward, it assists the holder of the easement in determining whether or not any violations have occurred on the part of the landowner.

It's, again, it's a critical tool. And I believe that Commissioner Revitsky, through his testimony, suggested that that type of inventory would be done, and that would be put in place, which is fabulous.

SENATOR MEYER: Okay. I'm not sure I know the words to do that. If you have the words, and you want to give them to our clerk, that would be helpful.

AMY PATERSON: We would be happy to work with you on that, and I would look to others as well to

SENATOR MEYER: We're going to go back and invite two witnesses who got hung up. Why don't they come up together, Eric, Claire Cain.

ERIC HAMMERLING: Good afternoon, and --

SENATOR MEYER: Pull your chair right up there, Claire, so you can add to whatever Eric is going to tell us.

ERIC HAMMERLING: So good afternoon, and thank you so much for your flexibility. We both, on our way here, got caught in some gnarly traffic. We appreciate very much the opportunity to speak together, and we thank you all for raising three important bills. I'm going to talk very quickly about each of those, and then Claire will talk a bit about the New England National Scenic Trail Bill.

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On Raised Bill 1015, AN ACT CONCERNING THE NEW ENGLAND NATIONAL SCENIC TRAIL, again, we want to thank you for raising that bill. And, Senator Meyer, I'd certainly say that there's a very direct interest in this legislation, because Guilford happens to be the gateway to the National Scenic Trail.

And from Guilford, it stretches 220 miles all the way up to the Massachusetts/New Hampshire border. It's the nation's newest national scenic trail designated in 2009 and has the same status as the Appalachian Trail.

So this is something that we're very excited about, and we appreciate your giving it the same status that the Appalachian Trail has in the statutes. And we certainly will continue to work on this with you if you would like.

On Raised Bill 1011, AN ACT CONCERNING CERTAIN USER FEES AT STATE PARKS, thank you for

CLAIRE CAIN: Thank you. I'm going to talk a little bit more about S.B. 1015, AN ACT CONCERNING THE NEW ENGLAND NATIONAL SCENIC TRAIL. As Eric mentioned, Connecticut is really fortunate to host two national scenic trails. It's actually fairly rare in the nation, and this bill really elevates the New England Trail to the same level as the Appalachian Trail.

What we also admire is that it clearly articulates the state support for the New England Trail and recognizes that there are a lot of challenges to stitching together a trail through a fairly urbanized part of the state. To have a greenway of that length and that magnitude really requires a lot of partnership, and this really brings the state on board as a live and invested partner.

I think with the state being on board, we're going to be less likely to be at risk of losing sections of trail. It's going to allow us to expand our management and maintenance efforts. And it's also going to bring the state in as a partner in the long-term protection of the trail by allowing them to hold portions of the trail if need be in terms of easements or rights of way if that becomes the case in the future.

We also feel like this legislation really coincides with what the state is trying to do in terms of nature-based tourism, really recognizes that this is a real recreational asset for the state. It's a real draw. We consistently hear from folks out of town who want to come and experience the trail much like they do for the Appalachian Trail.

So this really kind of states for everyone that the Appalachian Trail and the New England

Trail are two incredible resources that we have here in Connecticut that both need to be celebrated and protected for the long term. Thank you.

ERIC HAMMERLING: And I apologize. I forgot to introduce Claire. Claire is our trail stewardship director --

CLAIRE CAIN: I should introduce myself.

ERIC HAMMERLING: -- who is responsible for the maintenance of all 825 miles of trails, and that includes the National Scenic Trail, the New England National Scenic Trail in Connecticut. And we're always very thankful for our wonderful trail volunteers for doing the great work on the ground. And Claire is responsible for maintaining them and the trails through them. So we thank you.

SENATOR MEYER: I want to kind of give you a caution about this trail in part of my Senate district, including Guilford. You may know there's a new trail that's coming from New Haven to Hammonasset State Park. And there have been problems with that trail in Guilford.

CLAIRE CAIN: Mm-hmm.

SENATOR MEYER: And right now, the trail is only going along the road. And so be sensitive about that --

ERIC HAMMERLING: Yes.

SENATOR MEYER: -- in terms of meeting with the board of selectmen, and you'll find other parts of my district to be easier to work with. Madison, for example, comes after

Guilford as you move northeast, and they've been pretty good.

CLAIRE CAIN: We have been very fortunate to have the full support of the town involved with this trail. It's, we haven't met resistance. We've dealt with the board of selectmen consistently every step of the way. And it's just been a tremendous partnership, working very closely with the town parks and rec department, with the town historic folks.

SENATOR MEYER: Good.

CLAIRE CAIN: And it's just been a growing relationship. So we're really fortunate that we haven't met that kind of resistance. We're a slightly different trail --

SENATOR MEYER: Yep.

CLAIRE CAIN: -- than the other one, so --

SENATOR MEYER: Okay. Thank you, Claire.

CLAIRE CAIN: Yep.

SENATOR MEYER: Are there any questions or comments? Thanks so much. Oh, you, Representative Mushinsky.

REP. MUSHINSKY: It's actually a comment not to the witnesses but to you, Mr. Chairman, that if you aren't going to spend your trail money in Guilford, please send it to Wallingford.

SENATOR MEYER: Just for you, Mary. Thank you.

ERIC HAMMERLING: Thank you.

CLAIRE CAIN: Thank you.

SB1015

I have been a supporter of the New England Trail (NET) for years having been on the original steering committee. I am a regular hiker and conservator of our local trails and open spaces, including the NET, and am a serious amateur photographer who volunteers photographs for conservation purposes. CT Forest & Park, foremost in trail conservation, is one of a few organizations that has utilized many of these photos to promote the trails system in Connecticut. The NET is truly a gem. It travels through some wonderful ecological areas and traverses many of the higher ridgelines through CT's central valley affording amazing views/scenery. It undoubtedly deserves promotion, protection and funding.

Sincerely,
Bob Pagini

SB 1015

As a volunteer trail manager who works on one of the sections, I know that many people of all ages use this trail and it is important to keep this and others as part of our Connecticut recreational assets.

Passage of this bill is important because it will elevate protection and recognition of the New England Trail to the same level as the Appalachian Trail.

This bill will better position the Dept. of Energy & Environmental Protection to be an active and invested long-term partner in the trail's protection.

Recommend removing language concerning "eminent domain" as it is not in the spirit of the NET's federal legislation which specifically removed this authority for the federal government.

The NET is a tremendously valuable recreational asset for the citizens of Connecticut!

Connie Rokicki

I urge passage of this bill. It will put the New England Trail on a par with the Appalachian Trail, and thereby insure its future for many generations.

The only caveat I would suggest is that the use of eminent domain powers is not necessary, and should be deleted. The Appalachian Trail has thrived without the use of eminent domain.

I am a resident of Granby, and a hiker.

1015

Eric Lukingbeal

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Dear Environment Committee:

I am writing to you in support of S.B. 1015, An Act Concerning the New England National Scenic Trail.

As a member of the New England Trail Stewardship Council, I learned first hand the importance of a National Trail system. The developed world we live and work in allows for little respite for our minds which in turn affects our overall health. A National Trail beckons folks to discover the natural world right in their own 'back yards' and each National Trail has unique features and biodiversity which permits people to gain a connection with the natural environment around them. Promotion of a National Trail is a positive for overall health, encourages family time which stimulates curiosity and conversations, and helps to shift our perspective of where we are in the world.

-Passage of this bill is important because it will elevate protection and recognition of the New England Trail to the same level as the Appalachian Trail.

-This bill will better position the Dept. of Energy & Environmental Protection to be an active and invested long-term partner in the trail's protection.

-Recommend removing language concerning "eminent domain" as it is not in the spirit of the NET's federal legislation which specifically removed this authority for the federal government.

-The NET is a tremendously valuable recreational asset for the citizens of Connecticut and I encourage the Environment Committee to support this bill.

Respectfully,

~Lynn Charest

*Lynn Charest, CZET, CZEO
Town of Simsbury
933 Hopmeadow St., P.O. Box 495
Simsbury, CT 06070
(860) 658-3252*

I support passage of SB 1015 - An Act Concerning the New England National Scenic Trail. Last year I hiked the entire length of the trail from Guilford to Suffield one small section at a time (my blog for the hike is at www.boxingthenet.blogspot.com). I found this trail to be very different from other trails in Connecticut because it follows the top of the Metacomet Ridge, a volcanic trap rock ridge which has unique geology and climate. I photographed native cactus along the trail, for example. Also, most of the trail goes back to the 1930s (as the Metacomet and Mattabesett Trails). Even though I was hiking in the most populated parts of the state, there was an illusion of wilderness because of the rugged ridgeline the trail follows. Sadly, I did encounter many areas where the trail was in serious jeopardy:

*There were survey flags for new subdivisions. In one area a new subdivision road had obliterated the trail and I spent a few hours trying to find it so I could continue my hike.

*Many sections of the original historic ridgeline trail (1930s) had been closed off and the new trail sections were inferior, especially the extended road walks

*ATV damage to the trail was so serious it made some sections nearly impassible to hikers (on occasion I had to bushwhack through the forest parallel to the trail because the churned trail mud was too deep to walk through), and the noise from the ATVs was so bad I made a point to take time off of work to walk the trail during school hours to avoid ATVs.

*A wide new utility road was routed right on top of the trail for about a quarter mile, destroying it, although there seemed like other feasible routes for the utility road.

I work for a town where we proactively contact property owners and ask if they would be interested in selling their property for open space. This is something I believe the State should be doing for the New England Trail, because this trail and the Metacomet Ridge it follows are part of our heritage.

Thank you for your consideration,

Teresa Gallagher

Shelton, CT

(860) 658-3252

Senator Meyer, Representative Gentile, and members of the Environment Committee;

This Friday, March 15, the Environment Committee will consider the subject bill, which seeks to preserve the New England Trail as it passes from Massachusetts to Long Island Sound. My friends and I are enthusiastic supporters of the trail, and are among the many volunteers who proudly devote time to maintain it. We hope you and the Environment Committee will act to support Raised SB# 1015.

We're excited that the proposed bill raises the New England Trail to the same status as the Appalachian Trail, bringing well deserved recognition to the fine hiking available along the high forested ridges of Connecticut.

I believe the Committee would be well advised, however, to remove language authorizing acquisition of property by DEEP through "eminent domain".

The New England Trail is a can be a valuable and low cost recreational asset for the citizens of Connecticut!

Thank you for your consideration,

Bob Foltz,
Deep River



United States Department of the Interior

NATIONAL PARK SERVICE
NORTHEAST REGION
15 State Street
Boston, Massachusetts 02109-3572

IN REPLY REFER TO:

Testimony of Charles Tracy, New England Trail Administrator, National Park Service

Legislation before the Senate Environment Committee	Support/Oppose
RAISED S. B. 1015: AN ACT CONCERNING THE NEW ENGLAND NATIONAL SCENIC TRAIL	No Position

Co-Chairs and Members of the Environment Committee,

On behalf of the National Park Service, I am submitting testimony about Raised Bill No. 1015, An Act Concerning the New England National Scenic Trail. It is worth noting that Connecticut is one of very few states to host two national scenic trails and one national historic trail.

The bill is consistent with Public Law 111-11 which designated the New England Trail as a national scenic trail in 2009, and with the Trail's Management Blueprint which provides the framework for the Trail's overall operation and management. The bill recognizes the New England National Scenic Trail in the same manner as the Appalachian National Scenic Trail and provides for the same rights and obligations concerning it.

Thank you for the opportunity to testify on this bill, and I am glad to respond to any questions you may have.

Testimony regarding S.B. 1015 – An Act Concerning the New England National Scenic Trail

My name is Donald Rieger. I live in Simsbury and am writing to urge passage of S.B. 1015, which would increase protection for the New England Trail.

Our national scenic trail is a wonderfully valuable resource, creating a corridor by which our citizens can access some of the most beautiful parts of Connecticut's open space. In the greater Hartford area, it traces a route atop the trap rock ridges through Talcott Mountain and Penwood State Parks and beyond.

Such a trail needs protection, and S.B. 1015 would put the DEEP in a better position to protect and enhance it. The New England Trail should be on a par with the Appalachian Trail in terms of the DEEP's focus and the tools available it.

In that regard, it seems to me that the bill's providing for eminent domain is unnecessary and not in keeping with the federal legislation. If that possibly controversial provision were removed, I hope the bill would be passed without it.

I am active in a land trust that has protected open space adjacent to the trail and hopes to protect further nearby tracts that could provide trail connections to it. S.B. 1015 would provide welcome state encouragement for these private eleemosynary efforts.

Thank you for your attention to this matter.

Honorable Members:

I am writing in support of of S.B. 1015, An Act Concerning the New England National Scenic Trail. I am a member of the New England Trail Stewardship Council and I am also a hike leader for a number of outdoor recreation organizations, including the Connecticut Forest and Park Association and the Connecticut Chapter of the Appalachian Mountain Club, where I serve as chapter chair.

I first learned of the New England Trail (NET) at an informational program in my hometown of Guilford, which hosts the Menunkatuck Trail portion of the NET. This is a trail that literally runs through my neighborhood, so I frequently lead hikes for the public on portions of this trail, including during the weekend of events in June celebrating National Trails Day. I am speaking from experience when I say that this trail is a tremendous recreational resource.

The only change I would request in the bill is the removal of reference to eminent domain. This authority does not appear in federal legislation designating the trail as a national scenic trail.

Because the NET incorporates the Mattabesett and Metacomet Trails and those trails consist, at least in part, of private property, changes in property ownership could require rerouting portions of the NET like any other blue blazed hiking trail in the state. Because it authorizes the acquisition of property for the trail, this bill will lead to a more stable trail route, which will attract more users. More people in the area can only benefit nearby businesses.

Janet Ainsworth
Guilford, CT



SIMSBURY LAND TRUST

Testimony in support of S.B. 1015, An Act Concerning the New England National Scenic Trail

Simsbury Land Trust owns protected open space abutting the New England Trail north of Penwood State Park. We have created and maintain a feeder trail that connects a town road to the New England Trail. We are pleased to be able to facilitate public access to the National Scenic trail, which we recognize as a wonderfully valuable recreational asset.

Simsbury Land Trust endorses S.B. 1015. The bill would grant the New England Trail the same status that is accorded to the Appalachian Trail and would thus give the DEEP more tools with which to protect and enhance it. Our own conservation efforts are continuing, and we hope to be protecting more nearby land and to be creating more connecting trails. The recognition given by S.B. 1015 would encourage further private non-profit efforts such as ours.

Our only reluctance about S.B. 1015 is its provision for its use of eminent domain. We do not believe eminent domain is needed and view it as inconsistent with the federal law designating the trail. We hope the bill will be enacted without provision for eminent domain.

This testimony was approved by the Board of Simsbury Land Trust at its March 14, 2013 meeting.

Sally S. Rieger, Trustee

CONNECTICUT
 Land Conservation Council

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 Conservation Trust*

STAFF

Amy B. Paterson, Esq.

Testimony in Support of H.B. 6542, S.B.1011 and S.B. 1015

(with modifications)

To the Environment Committee

Submitted by: Amy Blaymore Paterson, Esq., Executive Director

March 15, 2013

Senator Meyer, Representative Gentile, and members of the Committee:

Please accept this testimony on behalf of the Connecticut Land Conservation Council in support of Raised H.B. 6542: An Act Concerning The Preservation Of Farmland at The Southbury Training School, Raised S. B. 1011: An Act Concerning Certain User Fees at State Parks, and Raised S. B. 1015: An Act Concerning The New England National Scenic Trail.

The Connecticut Land Conservation Council (CLCC) works with land trusts, other conservation and advocacy organizations, government entities and landowners to increase the pace, quality and scale of land conservation in Connecticut while assuring the perpetual, high quality stewardship of conserved lands in the state. CLCC focuses on building land trust capacity and sustainability, leading a unified land conservation voice for public policies that support land conservation, and engaging broad constituencies to foster a deep understanding of the benefits and need for land conservation.

Raised H.B. 6542: An Act Concerning The Preservation of Farmland at The Southbury Training School

Consistent with our conservation agenda, CLCC supports the preservation of the Southbury Training School – a state property with significant agricultural and conservation value – through a grant of a conservation easement to a nonprofit conservation organization, which we contend is the most effective means of assuring high quality stewardship and protection of conservation land *in perpetuity*.

We do, however, respectfully recommend two amendments to the bill which we contend would strengthen the preservation purposes of the transaction. First, CLCC concurs with the Working Lands Alliance that the bill include a waiver of sovereign immunity in order to best provide the easement holder with an unobstructed right to enforce the terms and conditions of the conservation restriction against the landowner (the state).

In addition, as the statewide umbrella organization for the land conservation community, CLCC recommends compliance with the Land Trust Alliance *Standards & Practices*, the national guide for legal and ethical standards for land trusts. To that end, CLCC suggests that the bill be amended to require a complete natural resource inventory and baseline documentation report for the land. Such a report would identify the agricultural and other natural resource attributes to be protected, and would document the condition of the property at the time the easement is put in place in order to better monitor changes to the land over time.

Finally, by way of a suggestion and not a proposed amendment – also in accordance with *Standards & Practices* - CLCC suggests that the state consider providing the Department of Agriculture with funding to establish a stewardship endowment to help ensure that the lands are managed in accordance with the terms and conditions of the conservation easement.

With these amendments, CLCC contends that the bill's use of a public-private partnership to achieve permanent land conservation -- through the grant of a conservation easement -- may serve as a model for future transactions as the state begins the broader process of identifying, prioritizing and protecting *in perpetuity* all state lands of high conservation value pursuant to P.A. 12-152.

We commend the Governor for his continued commitment to farmland preservation and would welcome the opportunity to provide further input as this important conservation transaction moves forward.

Raised S. B. 1011: An Act Concerning Certain User Fees at State Parks

CLCC supports the overall concept of this bill in recognition of the critical need to find additional sources of revenue to support the operation and maintenance of our State Park system. However, we do share the concerns raised in the testimony provided by Eric Hammerling, on behalf of the Connecticut Forest & Park Association (CFPA), fiscal sponsor of CLCC. In particular, we strongly concur with CFPA's recommendation that the revenues raised under this bill continue to be directed into the DEEP Maintenance Repair and Improvement account to ensure that the funds actually provide a direct benefit for the State Park system.

Raised S.B. 1015: An Act Concerning The New England National Scenic Trail

This bill reflects the state's recognition of the importance of the New England National Scenic Trail (NET) by providing the NET with the same level of statutory rights and obligations as have been accorded to the Appalachian Trail. The NET system is critically important to Connecticut's trail system and the lands surrounding the same. CLCC therefore supports S.B. 1015 and respectfully associates our testimony with the additional comments provided by CFPA.

On behalf of the Connecticut Land Conservation Council and our conservation partners throughout the state, we respectfully request the Committee to approve the foregoing bills, subject to the comments and recommendations provided herein. We thank you again for this opportunity to present our comments.

Testimony Re: Legislation before the Environment Committee on 3/15/2013

Raised S.B. 1011 An Act Concerning Certain User Fees at State Parks
Raised S.B. 1015 An Act Concerning the N.E. National Scenic Trail

Testimony of:

Eileen Grant
President Friends of Connecticut State Parks
43 Neptune Ave.
Madison, CT 06443

Dear Members,

Thank you for the opportunity to speak in Support with Change of two bills before you today, raised SB 1011 and raised SB 1015.

Raised S.B. 1011

The Friends of Connecticut State Parks certainly appreciate the committee's recognition that increased revenues are needed to support operations in our severely under funded park system. We agree wholeheartedly that fees should be raised, as receipts from rentals have not kept pace with the increasing costs of offering park venues for special use events. We do not feel, however, that a different fee structure for out of state patrons should be instituted for a variety of reasons.

Requiring field staff to administer an in state/out of state fee structure would burden an already overwhelmed group of workers with ambiguous regulatory directives which could readily be circumvented by the public. Parties and special events that take place in rented park buildings and pavilions are very often attended by persons from multiple states. Weddings, reunions, and conferences, for example, typically attract participants regionally. When applying for a license or signing a permit, any savvy group would have an in state guest as their signatory in order to secure the favorable in state rate. Wedding couples with an in state groom and an out of state bride would, without doubt, opt to have the groom sign paperwork, whether or not he paid for the reception. Trying to determine the veracity of applicants would only create unnecessary headaches for staff and embroil them in rancorous arguments with would be patrons.

As well as being impractical, the in state/out of state fee structure would drive away out of state groups at a time when Connecticut is trying to promote tourism and bolster local economies. The object of the game is to take business away from other states, not to give potential customers disincentives to choose Connecticut for their celebrations. Quite rightly, any prospective out of state renter would feel that charging a different price for exactly the same service was very unfair and would do their utmost to find alternate locations for gatherings.

The Friends of CT State Parks believe that an up to 150% increase across the board is much preferable to a divided fee structure. We would also very strongly recommend that the revenues raised under this bill continue to be directed to the DEEP Maintenance Repair and Improvement Account. The revenue in this account is wholly dedicated to maintaining and enhancing the parks that raise that revenue. If fee increases were to be diverted to the General Fund, the parks with the greatest levels of special events would not have funds sufficient to combat the inevitable deterioration that comes with heavy public usage. Husbanding and utilizing funds for regular repair and maintenance ensures not only that special events groups will be satisfied return customers, but that everyday visitors will consistently have positive and rewarding experiences in our parks. All benefit.

Raised S.B. 1015

The Friends strongly support this bill, but recommend the removal of the phrase "eminent domain" from line 6 of the bill. When this phrase was included in the scenic National Scenic Trail designation bill before Congress, it prompted a delay in passage. To forestall a repeat of this delay, and to remain true to the essence of the national scenic trail designation, we think it best to delete this phrase.

Respectfully submitted,

Eileen Grant



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

**STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

Public Hearing – March 15, 2013
Environment Committee

Testimony Submitted by Commissioner Daniel C. Esty
Presented By Deputy Commissioner Susan Whalen

Raised Senate Bill No. 1015 – AN ACT CONCERNING THE NEW ENGLAND NATIONAL SCENIC TRAIL

Thank you for the opportunity to present testimony regarding Raised Bill No. 1015 – An Act Concerning the New England National Scenic Trail (NET). The Department of Energy and Environmental Protection (DEEP) offers the following testimony.

DEEP supports this bill with slight modifications. This proposal is intended to provide the same rights and obligations concerning the New England National Scenic Trail (NET) as what are established for the Appalachian National Scenic Trail. DEEP recognizes the important role recreational trails and greenways play in our lives and communities. In support of this, we develop and maintain recreational trails and greenways on our state properties, and through our Recreational Trails Program and Connecticut Greenways Council, we work with many dedicated and passionate volunteers to establish trails and greenways in their communities.

The DEEP continues to lend our expertise to the NET's bi-state Executive Committee and Connecticut Trail Stewardship Council working to develop, manage and maintain the NET. We are fortunate to have this second National Scenic Trail designated and agree that our first National Scenic Trail, the Appalachian, provides a well established management model.

Because of potential conflict or confusion with other authority currently resting with the Commissioner of DEEP to acquire property, we request that the committee review a drafting change we suggest for the bill so that Section 1, lines 5-11 be revised to read: "(b) The Department of Energy and Environmental Protection is hereby authorized [by purchase, gift, eminent domain or otherwise] to acquire [such] land[, including, but not limited to, rights-of-way and easements] for the purpose of protecting or enhancing scenic beauty, as may be deemed necessary to establish, protect and maintain the portion of the New England National Scenic Trail between Long Island Sound and the Massachusetts state line"

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact DEEP's legislative liaison Robert LaFrance at (860) 424-3401 or Robert.LaFrance@ct.gov.

58 p 20 Lns



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Testimony of Clare Cain, Trail Stewardship Director, Connecticut Forest & Park Association

Legislation before the Environment Committee on March 15, 2013	Support/ Oppose
<u>RAISED S.B. 1015: AN ACT CONCERNING THE NEW ENGLAND NATIONAL SCENIC TRAIL.</u>	Support with Change

The Connecticut Forest & Park Association (CFPA) is the first conservation organization established in Connecticut in 1895. CFPA has offered testimony before the General Assembly every year since 1897 on issues such as sustainable forestry, state parks and forests, trail recreation, natural resource protection, and land conservation.

Raised S.B. 1015:

On behalf of CFPA, I wish to submit testimony in support of S.B. 1015, An Act Concerning the New England National Scenic Trail. We are fortunate in Connecticut to host not one, but two national scenic trails. The Appalachian Trail was designated by Congress in 1968 and more recently, the New England Trail (NET), in 2009.

What we admire about this legislation is that it clearly articulates the State's support for the NET. Despite winding through a highly urbanized and increasingly developed portion of the state, the NET remains a uniquely rugged and quiet corridor of land.

This bill takes decisive action in the face of increasing pressure from commercial and residential land developers. It actively encourages our friends at the Department of Energy & Environmental Protection (DEEP) to assist CFPA in our trail protection and conservation work on the NET. The legislative language acknowledges that there are real challenges associated with stitching together and maintaining a continuous 110-mile trail in our relatively small state. But with DEEP as a more committed partner, we are at less risk of losing sections of this nationally significant and much-loved recreational resource.

This legislation also coincides with the State's initiative to broaden its nature-based tourism. The bill demonstrates the State's conviction to protect our natural, scenic, historic and aesthetic values. For this, we in the trails community are grateful. It sends a consistent message about how the State wants to see its two national scenic trails protected and celebrated.

The only change we would recommend is that the words "eminent domain" be removed from line 6 of this bill.

Thank you for the opportunity to testify on this bill, and I would be pleased to address any questions you may have.



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

Legislation before the Environment Committee on March 15, 2013	Support/ Oppose
<u>RAISED S. B. 1015</u> : AN ACT CONCERNING THE NEW ENGLAND NATIONAL SCENIC TRAIL.	Support with Change
<u>RAISED S. B. 1011</u> : AN ACT CONCERNING CERTAIN USER FEES AT STATE PARKS	Support with Change
<u>RAISED H.B. 6542</u> : AN ACT CONCERNING THE PRESERVATION OF FARMLAND AT THE SOUTHURY TRAINING SCHOOL.	Support with Change

The Connecticut Forest & Park Association (CFPA) is the first conservation organization established in Connecticut in 1895. CFPA has offered testimony before the General Assembly every year since 1897 on issues such as sustainable forestry, state parks and forests, trail recreation, natural resource protection, and land conservation.

I am here to testify in support of three bills today (see above), and I thank the Co-Chairs and Committee for bringing these important bills forward! For each bill, I have some small suggestions that should help the legislative language most closely match the legislative intent as I understand it.

Raised S.B. 1015

In 2009, Congress passed the Omnibus Public Lands Act, Public Law 111-11, which officially designated the New England Trail as a National Scenic Trail. With this designation, the New England Trail joined the Appalachian Trail and only 9 others in the U.S. to achieve this special distinction.

Modeling the language of S.B. 1015 on the language found in the CT General Statutes for the Appalachian Trail (C.G.S. Chapter 452 § 23-66 through 23-72), makes great sense and we strongly support this bill with one exception. We recommend that the words "eminent domain" be removed from line 6 of this bill. The reason for this suggestion is that eminent domain was a sticking point in Congress that stalled the passage of the National Scenic Trail designation bill, and specific language was inserted to clarify that "The United States shall not acquire for the trail any land or interest in land without the consent of the owner." This federal language would not remove the possibility of the State exerting its eminent domain authority, but we don't believe this would be in the "spirit" of the national scenic trail designation.