

Legislative History for Connecticut Act

PA 14-80

HB5419

House	2464-2475	12
Senate	3158, 3162-3164	4
Environment	796-798, 929, 931, 939- 945, 947-948, 1026-1034, <u>1108-1109, 1152-1160</u>	34

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
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properly cast.

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

THE CLERK:

House Bill 5274 as amended by House "A".

Total number voting	136
Necessary for passage	69
Those voting Yea	81
Those voting Nay	55
Those absent and not voting	14

DEPUTY SPEAKER BERGER:

The bill passes. Will the Chamber stand at ease.

(Chamber at ease.)

Representative Gentile. Will the Clerk please call House Calendar 181.

THE CLERK:

On Page 40, moving right along, House Calendar 181, Favorable Report of the Joint Standing Committee of Government Administration and Elections, Substitute House Bill 5419 AN ACT CONCERNING THE PRESERVATION OF THE SAVIN FARM IN LEBANON.

DEPUTY SPEAKER BERGER:

Representative Gentile, the esteemed Chair, House

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Chair of the Environment Committee, ma'am, you have
the floor.

REP. GENTILE (104th):

Good afternoon, Mr. Speaker.

DEPUTY SPEAKER BERGER:

Good afternoon.

REP. GENTILE (104th):

Mr. Speaker, I move for acceptance of the Joint
Committee's Favorable Report and passage of the bill.

DEPUTY SPEAKER BERGER:

The question is acceptance of the Joint
Committee's Favorable Report and passage of the bill.
Please proceed.

REP. GENTILE (104th):

Thank you, Mr. Speaker. Mr. Speaker, the Clerk
is in possession of an amendment, LCO 4264. I ask
that the Clerk please call it and that I be granted
leave of the Chamber to summarize.

DEPUTY SPEAKER BERGER:

Will the Clerk please call LCO Number 4264 which
will be designated House Amendment Schedule "A".

THE CLERK:

House Amendment Schedule "A", LCO 4264 introduced
by Representatives Gentile and Shaban.

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DEPUTY SPEAKER BERGER:

The Representative seeks leave of the Chamber to summarize the Amendment. Is there objection to summarization? Is there objection? Seeing one, madam, please proceed with your summarization.

REP. GENTILE (104th):

Thank you, Mr. Speaker. Mr. Speaker, this is a strike-all Amendment, which essentially becomes the bill, and what the bill does is it allows the Commissioner of Agriculture to place a conservation or a preservation restriction on the property in Lebanon known as Savin Farm.

The preservation, the conservation or preservation restriction may provide for the conservation of said farm for agricultural purposes. It may allow for lease, permit, or license by the Commissioner of any portion of said property to one or more persons or an entity, or entities, for the purpose of engaging agriculture.

And lastly, it shall allow for the continuance of any activities that historically have taken place on that property in accordance with an MOU or a memorandum of understanding between the Department of Agriculture and the Department of Environmental

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Protection.

Mr. Speaker, I move for adoption.

DEPUTY SPEAKER BERGER:

Will you remark further on the bill before us?
Will you remark further on the Amendment before us,
House Amendment Schedule "A"? Representative Shaban.

REP. SHABAN (135th):

Thank you, Mr. Speaker. I stand in support of
the Amendment, which will become the bill. As the
good Chairwoman said, this allows the Commissioner to
do, to place some conservation or preservation
easements on this important piece of property and also
allows it to fit in well with the broader effort going
on at DEEP and other places.

So I urge my colleagues to support the Amendment.
Thank you.

DEPUTY SPEAKER BERGER:

Thank you, Representative. Representative
O'Neill, sir of the 69th, sir, you have the floor.

REP. O'NEILL (69th):

Yes, thank you, Mr. Speaker. And I also rise in
support of the Amendment. It obviously changes the
bill, which itself was modeled on the legislation we
did last year concerning the preservation of Southbury

Training School Farm.

This particular approach is, I think, a little less aggressive than what we did on the Southbury Training School Farm bill, but I think that it is well worth being supported and moves the state further along in the direction of preserving those farms, which were identified a number of years ago as key properties belonging to the state of an agricultural nature which ought to be preserved.

And certainly, it would have been nice to have done them all at once a few years ago, but if we do one a year, then in a couple of years, three or four years we'll be finished with this phase.

So I urge support of the Amendment.

Thank you, Mr. Speaker.

DEPUTY SPEAKER BERGER:

Thank you, sir. Representative Miner of the 66th, sir, you have the floor.

REP. MINER (66th):

Thank you, Mr. Speaker, if I might just ask a question or two to the proponent of the Amendment? Through you, please.

DEPUTY SPEAKER BERGER:

Representative Gentile, please prepare yourself.

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Representative Miner, please proceed, sir.

REP. MINER (66th):

Thank you, Mr. Speaker. I think the gentle lady will remember that during our conversation in the Environment Committee, I had asked some questions relative to the other activities that might have been included in any agreement, I guess, between the Department of Agriculture and the DEEP, most specifically with regard to hunting and fishing, and if she knows, would both of those activities be imbedded in that agreement dated October 23, 1993 that's referred to in the Amendment, please, through you.

DEPUTY SPEAKER BERGER:

Representative Gentile.

REP. GENTILE (104th):

And through you, Mr. Speaker, yes, they are included.

DEPUTY SPEAKER BERGER:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker, and I thank the gentle lady for her answer. And I have one other question.

So, if there was a confirmation of that

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agreement, which is labeled draft as any other agreement, would it also be her understanding that those agreements that would continue those activities would also be obligated, they would follow the land, I guess. Through you, Mr. Speaker.

DEPUTY SPEAKER BERGER:

Representative Gentile.

REP. GENTILE (104th):

Through you, Mr. Speaker, yes, that is correct.

DEPUTY SPEAKER BERGER:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker, and I thank the lady for her answers.

I was concerned at the time the bill was in Committee, because it's a rather large piece of property and historically, it has been used for multiple uses, both agricultural and recreational and I know that this draft document was referred to at a couple of meetings that I participated in with some of the proponents and I got a sense that they were not opposed to the continuation of those uses.

I just wanted to be sure on the record here that for all the people that have enjoyed the other uses of

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this property other than agriculture, are those that are recreational, they were watching out for their interest, too, and not foreclosing those interests through this effort to keep the agricultural purposes alive. Thank you, Mr. Speaker.

DEPUTY SPEAKER BERGER:

Thank you, sir. Will you remark further on House Amendment "A"? Will you remark further on House Amendment "A". Representative Orange, madam, of the 48th, you have the floor.

REP. ORANGE (48th):

Thank you, Mr. Speaker, good afternoon, sir.

DEPUTY SPEAKER BERGER:

Good afternoon, madam.

REP. ORANGE (48th):

I rise in support of this Amendment before us, which then becomes the bill. The Savin Farm, ever since I was a little girl living in Marlborough and traveling to my grandfather's in Ledyard, we would always go by the Savin Farm because that was then Route 2, which was a long time ago, and to see that we are preserving farmland is one of the number one priorities of mine and Representative Miner brought forth some questions regarding fishing.

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There's always been people fishing there in the pond. It's a great place to be. It's a great farm. It does have a lot of acreage with it and I urge my colleagues to support the bill, the Amendment.

Thank you.

DEPUTY SPEAKER BERGER:

Thank you, madam. Representative Sear of the 47th.

REP. SEAR (47th):

Thank you, Mr. Speaker. I also rise in support of this Amendment, which will become the bill. Savin Farm is about 700 acres. It is in my district in Lebanon, and in addition to being, containing some of the most prime agricultural soils in the state and serving as a recreational resource, it also contains the upstream water shed of the Yantic River and in effect acts as a sponge for natural water to be held within that property and to mitigate flooding downstream in the City of Norwich.

So I come out in strong support of this Amendment and the bill. Thank you.

DEPUTY SPEAKER BERGER:

Thank you, sir. Will you remark further on the Amendment, House "A"? Will you remark further on

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House "A"?

If not, I will try your minds. All those in favor of House Amendment Schedule "A" signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER BERGER:

Opposed? The ayes have it. The Amendment passes.

Will you remark further on the bill as amended?
Will you remark further on the bill as amended by House Schedule "A"? Representative Wood of the 141st, ma'am.

REP. WOOD (141st):

Thank you, Mr. Speaker. I also stand in very strong support of this bill and I think the more we can preserve open space for generations to come, the better off we are as a society, so I stand in support of this and urge everyone here to support it.

Thank you very much.

DEPUTY SPEAKER BERGER:

Thank you, ma'am. Representative Sawyer of the 55th on the bill as amended.

REP. SAWYER (55th):

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Thank you, Mr. Speaker. Eastern Connecticut certainly has some magnificent pieces of property and I look forward to many more being preserved in this way. Thank you, Mr. Speaker.

DEPUTY SPEAKER BERGER:

Thank you, madam. Will you remark further on the bill as amended? Will you remark further on the bill as amended?

If not, will staff and guests please come to the Well of the House. Will members please take your seats. The machine will be opened.

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 BERGER:

Have all the members voted? Have all the members voted? Will the members please check the board to see if their vote has been properly cast.

If all the members have voted, the machine will be locked and the Clerk will take the tally. Will the Clerk please announce the tally.

THE CLERK:

House Bill 5419 as amended by House "A".

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Total number voting	135
Necessary for passage	68
Those voting Yea	135
Those voting Nay	0
Those absent and not voting	15

DEPUTY SPEAKER BERGER:

The bill as amended passes. Will the Clerk
please call House Calendar 380.

THE CLERK:

On Page 25, House Calendar 380, Favorable Report
of the Joint Standing Committee on Appropriations,
Substitute House Bill 5396 AN ACT CONCERNING RETENTION
OF THE COPARTICIPANT OPTION UNDER THE TEACHERS'
RETIREMENT SYSTEM AFTER DIVORCE.

DEPUTY SPEAKER BERGER:

Representative Flexer.

REP. FLEXER (44th):

Good afternoon, Mr. Speaker.

DEPUTY SPEAKER BERGER:

Good afternoon, madam.

REP. FLEXER (44th):

Mr. Speaker, I move for acceptance of the Joint
Committee's Favorable Report and passage of the bill.

DEPUTY SPEAKER BERGER:

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THE CHAIR:

The Senate will stand at ease.

(Chamber at ease).

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Madam President. Madam President, some additional items to mark at this point. They may -- may be skipping around the Calendar a little bit.

But Calendar page 10, Calendar 415, House Bill 5518,
move to place on the Consent Calendar.

THE CHAIR:

Yup.

SENATOR LOONEY:

And also, Madam President, Calendar page 18, Calendar 489, House Bill 5227,
move to place on the Consent Calendar.

Madam President, Calendar page 19, Calendar 494, House Bill Number 5573,
move to place on the Consent Calendar.

Calendar page 22, Calendar 513, House Bill 5353,
move to place on the Consent Calendar.

Calendar page 28, Calendar 550, that's 5-5-0, House Bill 5514,
move to place on the Consent Calendar.

Madam President, also moving back, Calendar page 20, Calendar 499, House Bill 5419,
move to place on the Consent Calendar.

Back under Favorable Reports, Madam President, Calendar page 11, Calendar 419, House Bill 5477,
move to place on the Consent Calendar.

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Opposed. Reconsideration is passed.

SENATOR LOONEY:

Right now since the matter is before us again, Madam President, I would move to mark it passed temporarily.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President. Now if the Clerk would call those Consent Calendar items so that we might move to a vote on the Consent Calendar, and then we might proceed to the items that were marked go.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On page 2 Calendar 166, Senate Bill 427.

Page 4 Calendar 300 Senate Bill 417.

Page 6, Calendar 331, House Bill 5248.

Page 7, Calendar 340, House bill 5273.

On page 10, Calendar 416, House Bill 5407. Calendar 415, House Bill 5518. Calendar 396, Senate Bill 114.

On page 11, Calendar 419, House Bill 5477.

Page 12, Calendar 426, House Bill 5023.

On page 18, Calendar 489, House Bill 5227. Calendar 470, House Bill 5506. Calendar 490, House Bill 5113.

On page 19, Calendar 494, House Bill 5573.

Page 20, Calendar 498, House Bill 5467. Calendar 499, House Bill 5419.

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And on page 22 Calendar 513, House Bill 5353.
Calendar 515, House Bill 5361.

And on page 24, Calendar 526, House Bill 5556.
Calendar 524, House Bill 5219.

Page 25, Calendar 4 -- sorry, Calendar 530, House Bill 5368,
page 27, Calendar 546, House Bill 5061.
Calendar 543, House Bill 5037.

On page 28, Calendar 550, House Bill 5514.

Page 29, Calendar 554, House Bill 5148.

Page 30, Calendar 563, House Bill 5554.

Page 31, Calendar 567, House Bill 5229. Calendar 565,
House Bill 5028.

And on page 42, Calendar 384, Senate Bill 442.

THE CHAIR:

Senator Looney, do you have any more good news for us?

SENATOR LOONEY:

Yes, thank you, Madam President. One additional item to add before we call for the actual vote on the Consent Calendar, and that is item an Calendar page 33, Calendar 575, House Bill 5359. With that one addition it would call for a vote on the Consent Calendar.

THE CHAIR:

Mr. Clerk, please call for a vote on the Consent Calendar, and the machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Immediate roll call on the second Consent Calendar
today has been ordered in the Senate.

THE CHAIR:

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If all members have voted? All membered voted, the machine will be closed. Mr. Clerk, will you please call the tally.

THE CLERK:

On the second Consent Calendar for today.

Total number voting	35
Those voting Yea	35
Those voting Nay	0
Absent not voting	1

THE CHAIR:

Consent Calendar passes. Senator Looney.

SENATOR LOONEY:

Thank you, Madam President. If the Clerk would call the first item marked go to follow the Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On page 33, Calendar 579, Substitute for House Bill Number 5348, AN ACT CONCERNING THE PAYMENT OF DELINQUENT PROPERTY TAXES. Favorable Report of the Committee on Planning and Development.

THE CHAIR:

Senator Kelly.

SENATOR KELLY:

Thank you. Thank you, Madam President. Pursuant to Rule 15 of the Joint Rules, I am recusing myself from consideration of this bill.

THE CHAIR:

Thank you, sir. Please leave the Chamber.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**ENVIRONMENT
PART 2
593 – 1065**

2014

Representative Elissa Wright.

PHIL CHESTER: Thank you, Madame Chair.

I'm here on behalf of First Selectman Joyce Okonuk from the town of Lebanon who was unable to make today's meeting to read her testimony. This is regarding AN ACT CONCERNING THE PRESERVATION OF THE SAVIN FARM IN LEBANON, Raised Bill 5419.

Agriculture is Lebanon's principal industry, just as it was at the time of our nation's founding. With 10,000 acres of active agriculture town-wide and with full knowledge of the history and landmass that makes us the Savin Farm, Lebanon whole-heartedly supports Raised Bill 5419.

Realizing the immense agricultural benefit the Savin Farm would bring to the region, the State of Connecticut, through its Department of Agriculture, had the foresight to purchase the Savin Farm in 1993. With almost 500 acres of pasture, corn, and forestland, and significant agricultural infrastructure, the Savin Farm is now home to an active dairy and cheese making operation that utilizes approximately half the land.

The remaining agricultural land is leased for corn and hay production to the largest dairy operation in southeastern Connecticut, a member of the Farmers' Cooperative. In addition, Savin Farm contains a 52-acre pristine lake located on State Route 616 that offers public access for fishing, canoeing, and kayaking, and which leads to the headwater of the Yantic River.

The Yantic River begins on the Savin Farm and was designated in 2013 as a state greenway.

The Savin Farm and several abutting properties preserved by the Department of Agriculture, the town of Lebanon, and U.S.D.A. were acknowledged by the Greenway's counsel and is helping mitigate downstream flooding, which has historically been an issue with the Yantic River in the city of Norwich.

Consequently, the need to maintain this important and strategic landmass is critical to both agriculture and flood management, as well as protecting the watershed quality of the Yantic.

For decades, the town of Lebanon in conjunction with the State of Connecticut and U.S.D.A. has made a concerted effort to preserve agriculture. The town, through its very various policies and planning, has identified the preservation, promotion, and expansion of agriculture as its number one priority.

Lebanon contains almost 5,000 acres of preserved farmland, the greatest amount of preserved farmland in the state.

The town of Lebanon urges the Committee and Legislature to support Raised Bill 5419.

REP. GENTILE: Thank you.. Any questions or comments? Yes, Representative Sear.

REP. SEAR: Thank you, Madam Chair. Welcome, Phil.

PHIL CHESTER: Thanks.

REP. SEAR: What are the vulnerabilities of that property if it's not put under this preservation (inaudible).

PHIL CHESTER: Obviously, development of any kind can have an impact on -- on groundwater and

flooding. The land that encompasses the Savin Farm is really -- particularly rural and acts as a sponge because of its lack of development.

The confluence of the Yantic River begins there and then runs east and south through more populated areas before going through the city of Norwich. So really, just the more built up the environment, the -- the more the river is strained and, you know.

REP. SEAR: Yeah. Just one more. Now, the Yantic River, obviously I'm probably stating the obvious, but that ends up in the Yantic section of Norwich, which, in the recent flooding we had I know was almost -- not instantaneous, but that was a very vulnerable area in terms of quickly flooding. Am I correct?

PHIL CHESTER: It is.

REP. SEAR: Yeah. So this helps sponge some of that water and mitigate some of the upstream.

PHIL CHESTER: We believe it does.

REP. SEAR: Thank you.

PHIL CHESTER: Thank you.

REP. GENTILE: Thank you. I know I made an announcement for Representative Wright to go next, but the Chairs have done a sidebar here and we've gotten permission from Representative Wright. Senator Bye has to leave to start an Appropriations Committee meeting, so we're going to take her next and Representative Wright will be followed. Thank you.

SENATOR BYE: I really appreciate it, Representative Wright. I owe you. Thank you --

Unfortunately, Senate Bill 309 would not retroactively help the situation in Bethlehem, but it's smart common sense policy going forward and I thank you again for this opportunity to testify.

REP. GENTILE: Senator Kane, we thank you for your testimony and your patience. Any questions? Thank you.

SENATOR KANE: Thank you.

REP. GENTILE: We have Martin Mador next, and he will be followed by Representative O'Neill.

MARTIN MADOR: Afternoon. I'm Martin Mador. I'm the legislative and political chair for the Sierra Club. I'll have some very quick comments on S.B. 27 and a couple other bills and all of that within three minute.

SB306
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SB316

Addressing solid waste issues has long been a part of the Sierra Club's environmental portfolio. We're very pleased this bill is going forward. We're pleased it raises the recycling goal, it recognizes that public education is really necessary to -- to raise our recycling rate.

It recognizes the role of incineration is not really a good part of the solution and that we have to move forward.

I want to say that over the past several years, we've established programs for extended producer responsibility, also known as product stewardship. We do this one product at a time. We find this an excellent way to address issues of dealing with our solid waste.

little vague on how we're actually going to solve this.

We have to address our needs for data. Part of the problem is these FOIA rules keep us from looking at the data. That's a huge problem. It recognizes we're going to need staff to deal with this to come up with a statewide water plan. So it's a good start.

And in 10 seconds, we endorse 5419, preservation of the Savin Farm in Lebanon, and 316, labeling of Bisphenol A.

Thank you.

REP. GENTILE: Thank you. No questions.

Is Representative O'Neill in the room yet? I don't see him. All right. So we'll call upon him once he does arrive. Carmen Cordero.

CARMEN CORDERO: Good afternoon, ladies and gentlemen of the Committee. My name is Carmen Cordero and I am a lifelong resident of Hartford, Connecticut, and a lifelong member of an organization called Vecinos Unidos.

Vecinos Unidos is a grassroots community organization that has been organizing in the Latino community for over 30 years. First, I'm here speaking on -- in support of Governor Bill -- the Governor's Bill 27.

Vecinos Unidos has been an -- has been organizing in the Latino community for over 30 years and, as most of you already know, we work on issues like welfare reform, housing, jobs, and the end of -- and the --most recently, the end of child poverty campaign.

REP. ZIOBRON: You did? Okay. Thank you very much for your time.

REP. GENTILE: Thank you.

Any additional questions?

Thank you, sir. We appreciate your patience.

Since I do not yet see Representative O'Neill, we'll move on with Henry Talmage.

HENRY TALMAGE: Good afternoon, Senator Meyer, Representative Gentile, members of the Committee. My name is Henry Talmage, executive director of the Connecticut Farm Bureau.

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I come before you today to speak in favor of three of the bills, Raised Bill 311, which we just heard about, AN ACT CONCERNING FARM RELATED DESIGNATION ON HIGHWAY SIGNS.

Notwithstanding this previous speaker's comments as to which section it should be in, I want to talk about the idea of it being a good idea.

As we are seeing more and more on farm sales, by farm operations, it's critical that we be able to connect our consumers to those farms. And in fact, it's really one of the fastest growing areas of -- of farming. Even as we're looking at the great proliferation of -- of farmers markets, we realize that they're not the most efficient way to sell in many cases.

And -- and where we're seeing on farm sales, you're seeing a -- a very good marketing tool that exposes people to farms to see how product is grown. It creates a connection and, in many ways, it -- it really furthers the whole agro-tourism concept.

And we think a critical component of that is to be able to find them and promote those farms, which are, in many cases, located off main highways and - and byways. So that's -- that's an important piece of -- of our agro-tourism component.

Next, I want to talk about the -- Raised Bill 315, AN ACT CONCERNING FARMERS MARKET WINE SALES PERMITS AND ESTABLISHING AN OFF-SITE FARM WINERY SALES AND TASTING PERMIT. There is -- I testified last night in front of General Law.

There was a -- a parallel bill there. The difference was this -- this one allows for also not only special permits and tasting, but also tasting at farmers markets.

And again, the wine industry is emerging as a - a great example of the connection between consumers and producers. And what's important in the -- in the wine business is we're able to not offer -- not only offer tasting, but sales at the point of tasting, and that's that whole connection. And I think the idea of a special -- a special event permit makes a lot of sense to continue that discussion.

And also, the -- the tasting at farmers markets I think is a -- is a piece that would help connect that loop and -- and find ways to allow consumers to experience the product and then buy it at the same time. So an important bill.

Finally, 5419, AN ACT CONCERNING THE PRESERVATION OF THE SAVIN FARM IN LEBANON. Last year, this Committee led the way, after many years, at the protection of the Southbury Training School, which some of us worked on quite a while. And that really was groundbreaking legislation. This is the next step.

The Savin Farm is a remarkable property. It, too, scored very highly when the Farmland Preservation Advisory Board looked at this property using the same criteria the Department of Ag uses to evaluate farm properties. And I would encourage that we continue the momentum that we established through the protection of the Southbury Training School to -- to do the same concepts with the -- with the Savin Farm in Lebanon.

So I'll stop there and answer any questions you might have.

REP. GENTILE: Henry, thank you.

Representative Moukawsher.

REP. MOUKAWSHER: Thank you, Madam Chair.

You know, I looked at this bill earlier and there -- it states that the commissioner of Agriculture will grant to a non-profit organization a permit conservation easement. And I guess the idea is that the non-profit would then manage the -- take ownership and manage this property? Is that correct?

HENRY TALMAGE: Well, today the State of Connecticut owns the property. It's not encumbered in -- in any way other than the fact that the state owns it. The concept of a third party conservation easement is that the -- the state would retain fee ownership of the property subject to the easement being held by a third party.

It's kind of a -- it's -- in many ways, it's a reverse of what the Farmland Preservation Program is. The state owns the easement and the farmer owns the fee. This is the opposite.

The state will continue to own the fee, but there will be a conservation easement held by a third party, which essentially would -- would make it such that it would -- the state wouldn't -- would be subject to the -- the conservation easement that would be created by the third party holding it.

What it does is it makes it more difficult, I guess. I don't -- I'm not sure the word is impossible, but it's certainly more difficult for the state to say, hey, we're not going to -- we want to -- we want to sell this property to -- or change its use to a -- a non -- a use that isn't consistent with that conservation easement.

So it -- in many ways, it's very similar to the tool we've used to protect close to 40,000 acres in this state. It's just the state would own the fee.

REP. MOUKAWSHER: And I -- I -- just going a little further, it -- the easement would provide for the conservation of the farm for agricultural use and allow -- and then allow for the lease permit or license by the commissioner of Agriculture of any portion of the farm.

So I'm not -- you know, I'm -- I'm trying to figure out why you would -- what is the role of the non-profit if the commissioner of Agriculture could still lease any portion of the farmland?

HENRY TALMAGE: Could lease it for agricultural purposes?

REP. MOUKAWSHER: Right. Yeah.

HENRY TALMAGE: So what would happen and what actually happens today with the Savin Farm is that the state does lease the property to -- to a -- a farmer. What this would do, it would continue that tradition. Where the -- where the Department of Agriculture, through the commissioner, would -- would administer the lease to a farmer.

What this would -- what this would stop would be if the state decide next year, you know what we want to see there is instead of it being used and leased to a farmer, we're going to put in an industrial park or something other than the agricultural use.

This would -- this would solidify the use to being agricultural out into the future. So.

REP. MOUKAWSHER: Well, you know, I -- I just still don't understand the need for a non-profit. Do you have a non-profit in mind? A non-profit.

HENRY TALMAGE: Well, in the case of -- of -- and again, this legislation models -- mirrors what was done last year with the Southbury training school. There, the Southbury Land Trust is -- is -- this is in the process of becoming put together.

But Southbury Land Trust will be the third party holder of that easement, who has the -- a long history of working on agricultural easements, and they're rooted in the community.

Their job would be to essentially hold that easement and make sure that it's -- that the easement is -- is administered the way it's supposed to be. So in the case of the Savin Farm, it could be any number. It could be either a regional land trust that has an agricultural mission.

The organization I used to work for was the Connecticut Farmland Trust. That organization is an agricultural land trust that does work statewide. They might be a -- a candidate for this, or -- or any other. I mean, the idea is that would be a -- a good fit. You have to make a good fit.

REP. GENTILE: Representative Sear, followed by Representative Miller.

REP. SEAR: Thank you, Madam Chair.

So it would be a -- a third party kind of just legal entity that would provide that -- what's the right word? It's not review, but it's that the -- that the actual land was kept within that use.

HENRY TALMAGE: Yes. The -- the idea of -- the reason for a third party is that it -- it would have a standing to defend the easement, as opposed to the state, if it -- if the state held the development rights and the easement, it's the same -- it's the same entity and there is no ability to protect itself from that.

REP. SEAR: And as I understand it, the state puts out the bid for, what, five-year intervals or whatever, for people who would want to use the land, but the third party would ensure that the use of the land stayed consistent with their goal?

HENRY TALMAGE: Right. There -- there would be an obligation on the easement holder's part to -- to review and make sure that the -- that the easement is being honored in that way.

REP. SEAR: Thank you.

REP. GENTILE: Representative Miller.

REP. PHILIP MILLER: Thank you, Madam Chair. Thank you, Mr. Talmage, and thanks for your testimony.

I -- I think they're also good bills and I'd just like to note that, you know, all of the land trusts throughout the state have worked very closely with numerous state agencies and usually always to very good results.

So it seems like a great partnership that we can build on to make this Savin Farm go the same direction as the Southbury Training School.

While I have you here, I've been in a number of public hearings over the past several days where we're hearing a lot of common themes that affect your outreach. We're hearing that we continue to have some issues in many of our urban areas with so-called food deserts that the farmers markets are very well received in these areas, especially when they can double their SNAP dollars. And also, we have a request for a WIC, an extra funding of WIC, to help with that as well.

And also, we've heard that a lot of our farmers are anticipating growing more this year, particularly in the -- on the heels of the central valley of California having such issues, which is where a lot of our produce comes from, and also the ever growing popularity of our farm markets. Can you tell us anything about that while you're here?

HENRY TALMAGE: Well, I think, you know, diversity of agriculture is -- is the common theme and there are all different sizes and scopes. Certainly, the farmers markets have been a -- a

Our next step is how do we grow that economic activity? So we appreciate what this Committee and what the people involved are -- are so interested in and we -- we want to continue that work.

REP. PHILIP MILLER: Well, thank you and keep up the good work. And I thank you, Madam Chair.

REP. GENTILE: Thank you.

Representative Sear.

HBS419
REP. SEAR: Yeah. Just one more quick question. I did note they testified earlier that there is a lake -- there's a --

HENRY TALMAGE: Yes.

REP. SEAR: -- body of water that's located on the Savin property and it currently offers public access for fishing, canoeing, kayaking, et cetera. Would that be not endangered, but --

HENRY TALMAGE: I think, as with Southbury, the -- the configuration of what the agricultural portion of the land to be protected would be something that would be part of the process that the Department of Ag would look at and the state would look at.

So in the case of Southbury, there's a lot more acreage that wasn't protected. There was certain acreage that was protected that was particularly relevant for agricultural use. Obviously, the lake would not be. It has -- it has other public benefit. I believe DEEP is -- is involved in the management of that part of it.

So I think when it comes to configuration of -- of what portion of the property is protected

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for agricultural use, that would be taken into account and -- and the lake portion of it would be -- would be outside of that envelop, I would imagine.

REP. SEAR: Thank you.

REP. GENTILE: Henry, thank you for your testimony.

HENRY TALMAGE: Thank you.

REP. GENTILE: Representative O'Neill, is he in the room yet? All right, we'll move on. Keith Bishop.

KEITH BISHOP: Good afternoon. I'm glad to be before you this afternoon. I am Keith Bishop, one of the co-owners of Bishop's Orchards Farm Market and Winery in Guilford, Connecticut, and a constituent of Ed's and Pat Widlitz is my representative as well, and I see some other familiar faces that I'm glad to make my comments before you this afternoon.

8B297

I'm here on two bills, specifically 311 and then 315. The 311 Bill is on that John Barrett just spoke on on agricultural logo signs for the interstate highway system. It's an issue that I am passionate about getting people off of the highways and into our communities to support our both local tourism effort and particularly our agricultural operations.

Right now, the technicalities of the federal code that governs the interstate signs does allow agricultural signs. However, Connecticut is among the states that have not chosen to implement the federal code and are not allowing agricultural signs to be there. Head up to Massachusetts, into New York, and you'll see those signs that promote agriculture on the interchange.

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REP. CASE: So, I mean, we just need to enforce our laws.

GEORGE HALLENBECK: That's correct, sir, as well, so.

REP. CASE: Thank you.

SENATOR MEYER: Okay. Thank you.

GEORGE HALLENBECK: Thank you.

SENATOR MEYER: Next one is the Savin Farm bill with Lisa Bassani, followed by George Gibson. Gordon, excuse me. Gordon. I know -- I know Gordon.

LISA BASSANI: Senator Meyer, Committee members, my name is Lisa Bassani and I'm the project director for the Working Lands Alliance.

We are a statewide coalition dedicated to farmland preservation and, not surprisingly, we are here today to testify in strong support of House Bill 5419, AN ACT CONCERNING THE PRESERVATION OF SAVIN FARM IN LEBANON.

Over the past few years, we've been working to achieve permanent protections of state on farmlands, focusing primarily on -- on a short list of high priority state-owned farmland parcels identified in a 2010 report completed by the Farmland Preservation Advisory Board.

And the most significant of those properties was protected in 2013 with strong support from this Committee, the Legislature, and the Governor.

And this bill provides an opportunity to continue on that path and protect an equally significant parcel in Lebanon, the 575-acre

Savin Farm, which is currently leased to -- in part to -- to two farm families.

There's a 163-acre lease right now to Kim Abel and her husband for an active dairy operation and another 93 acres that is -- that is leased by the state to Cushman Farms, a member of the Farmers Cow Cooperative.

And the permanent protections here provide those farm families with the assurity that they need that those lands are going to remain in agriculture in perpetuity.

And to Representative Moukawsher's question earlier to my colleague Henry Talmage, about the role of the third party, that was a good -- a good question. And I'd just like to use part of my testimony to -- to answer the role of that third party in this.

In the case of an easement, you're really unbundling the rights no matter who the grantor or the grantee. And this -- in this case, the state is the owner of the land and will be conveying easement to the third party.

In this case, we would look to someone like Connecticut Farmland Trust, an accredited land trust, to hold that easement. They're conveyed the rights and responsibilities with that to monitor any infractions of that easement.

So, you know, they -- they provide the -- the sort of legal defense of the property to ensure that those provisions are enforced, that that property remains in agriculture, and that the conservation values -- conservation and agricultural values of that property are preserved in perpetuity.

And this property is -- really has some superior agricultural value that has almost 250 acres of prime and important farmland soils and it is in a vibrant agricultural community. So it really ranks at the top of the list of any possible state-owned farmland property.

So we urge the passage of this bill. Thank you.

SENATOR MEYER: Okay. Good testimony. I'm going to urge you to be -- be talking with DEEP and with the Governor's office. You know, there is some pushback against moving in this direction in any great extent.

LISA BASSANI: Right.

SENATOR MEYER: There's worry -- there's worry in the Executive Branch that we're going to tie up too much land and frankly, in terms of quality of our life, I -- I would love to tie up more land than less land. But there -- there is a -- there's a dialog going on in here and the Working Lands Alliance should get into that if you're not already in it.

LISA BASSANI: Right. And we -- we have heard some of those concerns. You know, in this case, when we have a, you know, there's a short list of -- of properties that would really rank that highly for agriculture and -- and this is really at the top of that list. So we feel like just -- because of the nature of this property and the -- the really high level of -- of agricultural values here, that, you know, it demands the permanent protection that we afforded to Southbury.

So, you know, I don't think you would be looking at thousands and thousands and thousands of acres that we'd be tying up in

this means. I mean, this is really looking at the -- the parcels that have those superior qualities.

SENATOR MEYER: Okay. And Representative Moukawsher.

REP. MOUKAWSHER: Mr. Chairman, just briefly on -- one of my concerns, you know, with the -- the non-profit and whoever they might be, they're going to be managing, you know, the property and seeing to it that it fulfills its, you know, agricultural purpose. But it sounds that there are other features on the land where people might want to walk and might want to kayak. They might want to fish.

I -- you know, I've seen some groups, open space groups, that become the steward of a, you know, some open space. Puts severe limits on -- on the usage of it. So I -- I was just a little concerned about that. Hopefully -- hopefully, you know, there will be an enlightened, you know, group that's managing the property and -- and won't get too restrictive.

But that's why I was concerned, because, you know, when you put property in -- or enforcement in the hands of a group, they may have a particular philosophy about how it should be used and, you know, it may be, you know, not as expansive as the state might feel.

LISA BASSANI: Right. And in this case, the management would remain with the Department of Agriculture. I mean, the determinations of any agricultural leases and -- and other would remain and what would be conveyed is just the -- the conservation easement, which is really just the legal right to present, you know.

preventing subdivision or other incompatible uses with that easement.

So, you know, and as far as the easement is concerned, I think Henry Talmage, my colleague, alluded to this. This would all be really worked out and the -- the configuration and the easement of which lands were, you know, contained the conservation easement. And so you could easily carve out the parcel, you know, the property around Savin Lake, which has some of the recreational uses there.

So I certainly understand that concern, but I think that could be worked out in the configuration.

REP. MOUKAWSHER: Thank you. That -- that reassures me some and I -- I'm not, you know, I'm not -- I don't have a -- any opposition to, you know, this farm being preserved. So I -- I hope you're not taking that from my testimony.

LISA BASSANI: Right. Thank you.

REP. MOUKAWSHER: Thank you.

SENATOR MEYER: Yes, Representative Ziobron.

REP. ZIOBRON: Thank you, Mr. Chair, and thank you so much for being here. I -- I come from a district that's -- has a very long history of preserving open space, East Haddam -- Colchester and East Haddam. We had a very unique parcel of 300 acres of a farm and the town -- and this is very similar to the -- what you have at Savin Farm, and that's the only reason why I'm making a comment on it. Because I think it is important to know.

So the town of East Haddam purchased property and we did so and we -- we then put the

property into conservation easement and then went ahead with a long-term lease for a farmer. And that farmer has a wonderful farm stand on the property. They hay the property. It's over 300 acres.

And the other reason we did it, too, was to preserve the -- the aquifer around Lake Hayward in my community. So it's interesting to me that the state is -- is not pursuing that when you already have municipalities that have done a similar program to, you know, to really make sure that our agricultural valued land is being, you know, used.

We don't want it just to sit there and not be used for the purpose that it was intended. So I wasn't sure if you were aware of that. So as you're going through the process, knowing that there's a municipality who's done something similar may be of help to you.

LISA BASSANI: Right. Great. And in this case, I mean, Lebanon is really at the top of the list here in Connecticut for towns that have understood and valued their agriculture and has really been way ahead of the game of farmland preservation. So I think as you'll see from the testimony, there's a number of testimony that's been submitted by not only Joyce Okonuk, the -- the First Selectwoman, but a number of residents in the community.

So I think you'll see from that testimony, there is strong support there and -- and I agree with you as well. Municipalities have -- have done this as wild land trust. So.

REP. ZIOBRON: Great. Thank you.

SENATOR MEYER: Thank you. Thanks. The next witness is Gordon Gibson. Gordon represents

the oldest agricultural organization in Connecticut, the Connecticut -- I think, the Connecticut Grange, and you -- you've guided this Committee well. So nice to see you, Gordon.

GORDON GIBSON: Thank you, Senator Meyer. Yes, I am Gordon Gibson, legislative liaison for the Connecticut State Grange and I'm speaking tonight, again, in favor of preserving the Savin Farm.

HB5419

In the interest of time, I am going to depart from my prepared testimony and a lot of it deals with the questions that have already been asked today. First of all, no -- the Savin Farm right now is not protected. No one, not even the state, can hold a protective easement on land that they own in fee simple.

Because the state owns it, they could turn around and sell it at any time or convert its use to something else at any time. By granting an easement to some non-profit third party, now there is an easement where the easement holder can say, hey, wait a minute. You can't do that because of this easement.

As has been said, and this is routinely done when the Department of Agriculture acquires easements, if there's an area that should be carved out of the easement for some reason, when they set up the easement, they get a survey -- in any case, they get a survey so they know what the easement covers.

They carve out right on the map whatever. Sometimes, it's just a block of active farmland that the farmer wants to hold out in case the son or daughter wants to build a house on it someday.

In this case, certainly they would carve out the area around the lake. There's a peninsula there with a fairly nice house on it. They would carve that out because the house is already there. That's not farmland.

This is why they need it to protect the land. They need to convey an easement to a third party.

It's also a case if they lease the land, the easement holder is not going to be involved in the day-to-day management of the farm. If the lessee is not operating according to the lease, it will be up to the state, through the Department of Agriculture, to say to the lessee, hey, get in shape here. And if the lessee doesn't, then terminate that lease and turn around and lease it out to somebody else.

Following up on some other testimony we have heard today, about more and more Connecticut residents want quality locally grown food, Bill 5419 would help this by making productive farmland available to beginning farmers who could lease small tracts.

A beginning farmer, he's tight for cash, just like the beginning person in any business. He cannot afford to go out and buy 517 acres, 182, which are prime and important crop land to have -- just happen to score 99 out of 100 on the state's evaluation.

But he can lease 40 or 50 acres or whatever size the state is willing to lease. And at that point, I will stop because I've heard the bell.

SENATOR MEYER: Thank you, Gordon.

Any questions?

You're very clear. Thank you. Appreciate it.

GORDON GIBSON: Thank you.

SENATOR MEYER: Bill looks in good shape.

GORDON GIBSON: I'm like -- I'll also say I'm like Pavlov's dog. I heard the bell and I really start getting hungry for supper.

SENATOR MEYER: We all -- we all are.

A VOICE: (Inaudible).

SENATOR MEYER: Yeah. Little one. Marigrace Larke, followed by Amy Patterson. Either of them here? Amy left. Marigrace Larke? Not here. Okay. We're getting there. Okay. Just a few more.

We're going to -- we're now going to take up the town cost of the care of animals and our first witness is -- is Debra Bresch. Here she is.

DEBRA BRESCH: Thanks, Senator Meyer. Thanks, Representative Gentile.

I want to echo Senator Kane, thanks to Senator Chapin and Representative Miner for working on this bill. The ASPCA is a strong supporter of -- of this bill.

We are a strong supporter in general of good forfeiture -- bonding and forfeiture laws and this is -- of which this is an example. When animals sit in shelters during the pendency of a cruelty case, the cost of care often becomes prohibitive, threatening the shelter's ability to serve other animals and serving as a deterrent to future cruelty law enforcement.

SB309

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PART 3
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2014



Connecticut Farm Bureau Association
 775 Bloomfield Ave., Windsor, CT 06095-2322
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March 7, 2014

Submitted by: Henry N. Talmage, Executive Director, Connecticut Farm Bureau Association

The following testimony is submitted on behalf of the Connecticut Farm Bureau, a statewide nonprofit membership organization of over 5,000 families dedicated to farming and the future of Connecticut agriculture.

Senator Meyer, Representative Gentile and Members of the Environment Committee:

Raised Bill No. 311 AN ACT CONCERNING CERTAIN FARM RELATED DESIGNATIONS ON HIGHWAY SIGNS. The Connecticut Farm Bureau strongly supports SB311. This bill will expand existing law to allow directional and other official signs or notices pertaining to farming that is part of state's agricultural tourism within the six-hundred-sixty foot area of interstate, primary and other limited access highways. Agriculture continues to grow in Connecticut and the recently released USDA National Agricultural Statistics Service points out that we have 1,000 more farms that we did just 5 years ago. One of the fastest growing segments of agriculture is on-farm retail operations. These farms are welcoming the public onto their farms and providing a wonderful combination of family entertainment and expansion of the CT Grown experience. The Connecticut *Still Revolutionary* tourism campaign has highlighted several farm operations in its ads. On-farm marketing represents one of the best opportunities for growth of Connecticut agriculture. This bill will help consumers find the farms they wish to visit. We support this important bill.

Raised Bill No. 315 AN ACT CONCERNING FARMER'S MARKET WINE SALES PERMITS AND ESTABLISHING AN OFF-SITE FARM WINERY SALES AND TASTING PERMIT. The Connecticut Farm Bureau is supportive of the emerging Connecticut wine industry. In many ways the wine business serves as a model for other forms of value-added agriculture and agri-tourism. It serves as a great example of how local producers can engage consumers and produce products and experiences that highlight our agricultural resources. Our hope is that as the Connecticut wine business continues to mature, the number of acres dedicated to growing fruit for wine and brandy will become a significant use of our agricultural land base. The Connecticut Farm Bureau supports Raised Bill No. 315. This bill would authorize the Commissioner of Consumer Protection to issue a limited number of off-site wine sales and tasting permits to holders of a manufacturer permit for a farm winery. Farm wineries approved for permits would be allowed to offer free samples and sell wine by the bottle at up to seven fairs and other off-site events per year. This is a great way to expose consumers who attend special events to Connecticut wines and allow them to purchase the wines they taste. The bill also allows wineries that have a farmer's market wine sales permit issued by the Commissioner of Consumer protection to offer tastings at such farmers markets which will help consumers know what they are buying and likely increase sales at farmer's markets. The Connecticut Farm Bureau supports SB315 in order to expand the marketing opportunities to this growing segment of agriculture.

Raised Bill No. 5419 AN ACT CONCERNING THE PRESERVATION OF THE SAVIN FARM IN LEBANON. The Connecticut Farm Bureau supports the protection of the Savin Farm in Lebanon as outlined in HB5419. This bill provides a mechanism to protect this unique and substantial agricultural

Connecticut Farm Bureau Association - *The Voice of Connecticut Agriculture*

resource for the future of Connecticut. Just like the Southbury Training School that was protected last year, the fact that the land is already owned by the state does not protect it from future development or fragmentation that would result in the loss of this special resource. By permanently protecting this land we will add hundreds of acres to our protected farmland at very little cost to the taxpayers. The Farmland Preservation Advisory Board conducted a study of the Savin Farm as well as several other state-owned properties to evaluate the appropriateness of protecting the lands for permanent agricultural use. Each property was ranked using the same criteria that the Farmland Preservation Program uses when evaluating a farm for purchase of development rights. Not surprisingly the Savin Farm, like the Southbury Training School property ranked extremely high, confirming what many already knew: this is an agricultural gem that also deserves to be permanently protected using the same innovative mechanism already developed. HB5419 provides for the creation of a permanent conservation easement that would be held by a qualified third party non-profit organization with competency and experience in holding agricultural conservation easements. The ownership of the fee title would remain in the State of Connecticut. The Commissioner of Agriculture would be granted authority to manage and lease the land to farmers subject to the terms of the easement. The involvement of the third-party easement holder will help the state by assisting in the role of stewardship through monitoring and enforcement of the terms of the conservation easement. All of this mirrors the language passed into law last year to protect the Southbury Training School property. The Connecticut Farm Bureau wholeheartedly supports this effort to permanently protect this important farmland resource.



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A Project of American Farmland Trust

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STAFF
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Director

Testimony in support of HB 5419
Environment Committee

Submitted by: Lisa Bassani, Project Director, Working Lands Alliance
March 7, 2014

Senator Meyer, Representative Gentile, and Committee members:

The Working Lands Alliance appreciates this opportunity to submit testimony in support of HB 5419, An Act Concerning the Preservation of the Savin Farm in Lebanon.

The Working Lands Alliance is a broad-based, statewide coalition dedicated to preserving Connecticut's farmland, and includes such organizations as American Farmland Trust, the CT State Grange, CT Forest & Park Association, End Hunger CT!, and the CT Farm Bureau, among many others. Over the past few years, our coalition has been working to achieve permanent protections of state-held agricultural lands identified in the 2010 report by the Farmland Preservation Advisory Board as "high priorities". The most significant of these farmland properties – Southbury Training School – was protected last session with the unanimous support of the legislature and the Governor. We commend this Committee, the General Assembly and the Governor for their support of that legislation.

Our coalition strongly supports HB 5419, which will permanently protect the 575-acre Savin Farm in Lebanon and continue the momentum in efforts to preserve key agricultural lands held by the State of Connecticut. This bill, modeled after the bill that preserved farmland at Southbury Training School, will allow the State to make another significant stride in protecting our critical farmland resources and ensure that these prime working lands remain in agricultural production for generations to come (a point that is surely important to the two farm families who lease over 250 acres of cropland at Savin Farm from the State). Most importantly, this bill protects a key farmland property in an active agricultural community at minimal cost, and provides an opportunity to quickly and cost-effectively increase the pace of farmland preservation in Connecticut.

In 2010, the Farmland Preservation Advisory Board conducted a study of state-owned farmland, and identified a number of properties worthy of protection. Lebanon's Savin Farm was identified for protection in this report alongside the farmland at Southbury Training School, as well as five other state-held agricultural properties. The Savin property scored among the highest due to its

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high percentage of prime farmland soils and its location in a vibrant agricultural community.

As noted above, over 160 acres of the Savin Farm is leased to an active dairy operation, and another 93 acres of agricultural land is leased for corn and hay production to a member of The Farmer's Cow – a six-family Connecticut dairy cooperative that markets itself under a single brand. The permanent protection of this land will further the ongoing efforts in Lebanon to protect its land base, which includes some of the finest agricultural land in the state, and will ensure that the land remains in agriculture in perpetuity.

Our coalition wishes to see one key modification in the bill. WLA believes that the legislation should specify that the overall intent of the conveyance is that the land remains available for active agricultural use in perpetuity. This clarification is needed to ensure that the agricultural use of the property retains primacy relative to other possible future uses of the property.

On behalf of the Working Lands Alliance, I urge the Committee to act favorably on HB 5419, with the one modification noted above.

Connecticut State Grange

**TESTIMONY OF THE CONNECTICUT STATE GRANGE IN SUPPORT OF
RAISED BILL 5419, AN ACT CONCERNING THE PRESERVATION OF
THE SAVIN FARM IN LEBANON**

MARCH 7, 2014

I am Gordon Gibson of Vernon, Legislative Liaison for the Connecticut State Grange. I am speaking today in support of Raised Bill 5419, An Act Concerning The Preservation of Savin Farm in Lebanon.

No one, not even the State, can hold an easement on land they own in fee simple because the fee title and the easement merge as soon as they are in the same ownership. Since the State now owns the Savin Farm in fee simple it has two options to protect the land from development or other activities that would remove it from our shrinking agricultural land base. One option would be to sell the farm but retain a protective easement similar to the easements the Department of Agriculture has purchased to protect many farms throughout the state. This would protect the farm from development, but would not protect the farm from reverting to natural growth and eventually to woodland through non use and neglect. The other option is for the State to grant a protective easement to a qualified nonprofit organization, retain the fee simple ownership and lease the farm to one or more individuals who agree to actively farm the land they lease. This alternative would insure that the land does not revert to nature because, if the lessee does not actively farm the land, their lease could be terminated and a new lease granted to an individual who will actively farm the land.

Connecticut has some of the best farmland in the world. I said the world, not just the United States. Unfortunately we have irretrievably lost much of it to various types of development. But we must also protect it from reverting to nature. In the nineteenth century Connecticut's forests had been cut over to the extent that the state was virtually clear cut. Today many areas have reverted to forest to the extent that over half of Connecticut's land base is now wooded. In some ways this is good, but we cannot raise crops or efficiently pasture livestock on wooded land. We need to protect our remaining farmland from both development and reverting to woodland. Raised bill 5419 will enable the Department of Agriculture to do this on the 517 acre Savin farm which includes 182 acres of prime and important crop land.

Today more and more Connecticut residents seek locally grown products for their food. Raised bill 5419 will help satisfy this demand by making productive farmland available to beginning farmers who want to produce the products Connecticut residents seek. Based on this historic background the Connecticut State Grange urges the passage of raised bill 5419 to preserve the Savin farm in Lebanon.

Thank you for your consideration of my testimony.

Gordon F. Gibson, Legislative Liaison
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Martin Mador, Legislative Chair

Environment Committee
March 7, 2014

Testimony In Favor of
HB 5419 AAC the Preservation of the Savin Farm in Lebanon

I am Martin Mador, 130 Highland Ave , Hamden, CT 06518 I am the volunteer Legislative Chair for the Connecticut Chapter of the Sierra Club I hold a Masters of Environmental Management degree from the Yale School of Forestry and Environmental Studies

Preservation of Connecticut's farmland is a high priority for the Sierra Club Farming keeps land as open space, and, of provides local food for us The most provocative slogan/bumper sticker ever written is "No Farms, No Food".

HB 5419 would convey a permanent conservation easement to a nonprofit organization whose mission includes the protection of agricultural lands This would permanently protect the farm's prime agricultural lands at a minimal cost to the state, far less than outright purchase

According to the Working Lands Alliance, "The Savin Farm was one of 7 state-owned farmland properties identified for protection by a 2010 report by the Farmland Preservation Advisory Board. The 575-acre property was at the top of the list, due to the high percentage of prime soils on the property and its location in an active agricultural community "

Please ensure that the language of the bill restricts future use of the property to agricultural uses

Protection of this farm is thus a priority, so the Sierra Club recommends passage of HB 5419

Testimony in support of HB-5419

Submitted by Marigrace Larke
To The Environment Committee
State Representative Linda Gentile and committee members.

My name is Marigrace Larke and I am from Hamden Ct. I am a member of the Open Space and Natural Resource Commission in Hamden and would like to submit testimony to the committee in support of preserving the Savin Farm in Lebanon. I am a member of the Connecticut Farmland Trust and have worked with the Connecticut Forest and Parks Association as a member of the Connecticut Woodcarvers Association.

As a member of the Open Space Commission in Hamden we try to help identify open space that could possibly be aquired for the Towns benefit . Our Commission is now working on trying to get an easement for a parcel that was a farm. In this capacity I attended a Workshop for Farming Protected Land in October of 2013 . The Workshop was held at a Grange Hall in Woodstock Ct. After the talk there was a tour of Morse Family Farm. This farm was a dairy farm that produces milk for Cabot Creamery. The farm is run by two brothers and is a very modern operation with strict production rules .The fields that are used are strictly for food for the herd of cows that they have. One of the things he said was that they are always looking for land to grow more corn for silage for these animals. There were three of these Workshops given throuout the State last year. The Morse farm is protected by the Ct.State Department of Agriculture. The Rosedale farm in Simsbury is protected by the Simsbury Land Trust and Sunny Valley by the Nature Conservancy. You can refer to a booklet Conservation Options for Connecticut farmland put together by the Connecticut Farmland Trust and the American Farmland Trust. I also have a brochure about the State of Connecticut's Department of Agriculture' Farmland Preservation program that was given to me at the Workshop. I am eclosing a copy of this booklet in my packet.

I grew up with my Grandfathers farm on my street and the neighbors farm across the street. I lived in Hamden as I do now but these farms are long gone and a Grange Hall I haven't seen in many years. Hamden has one family farm left it is protected by the State of Connecticut. It is the Hindinger Family Farm. We continue to save as much farmland as we can because once it is gone for other reasons we have lost a very important resource to feed ourselves ..The farming industry has seen an upsurge because of the farm to table movement . Generally it is healthier to know where your food is coming from. There is another farm in Hamden it is privately owned and not protected and feeds a lot of people right into the cold weather and will be sorely missed if it's status is lost. I know it takes a lot of hard work but according to Kip Kolesinkas from the Workshop there are people looking for farmland and if there is farmland protected into perpetuity we will all benefit.

My father was a butcher and a supermarket owner and starting in the 1950s he was constantly talking about making sure the farms would be saved for without them we will lose our independence. Continue the increase in farming by protecting Lebanon's Savin Farm. in perpetuity specifically for continued farming. Thank you.

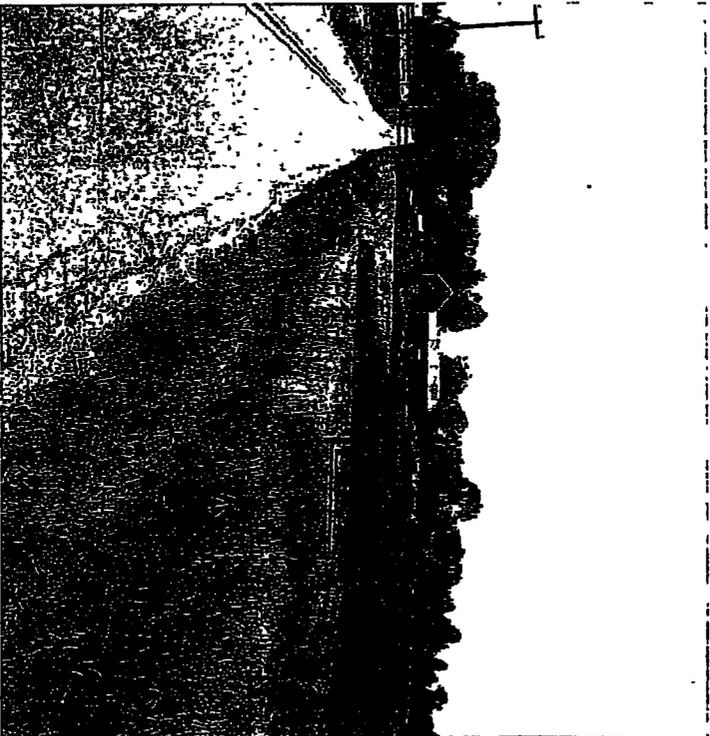
Marigrace Larke 155 Howard Drive Hamden Ct 06514

PROHIBITED ACTIVITIES OF
THESE LANDS:

- * *DON'T* use your land for prohibited, commercial non-agricultural uses. If you have any questions about whether or not a use is permitted, please call us to discuss the matter at 860.713.2511.
- * *DON'T* divide or subdivide your restricted farmlands.
- * *DON'T* mine gravel from the restricted farmlands. [In some cases, gravel may be permitted for uses on the restricted farmlands with prior notice and approval of the Connecticut Commissioner of Agriculture.]
- * *DON'T* remove soils from the restricted farmlands.
- * *DON'T* decrease the productivity of arable land or convert/degrade prime and statewide important soils on the restricted farmlands.
- * *DON'T* allow lease of a residence on restricted farmlands to persons not incidental to the farm operation.
- * *DON'T* sell the land prior to notifying the Connecticut Commissioner of Agriculture 90 days in advance.
- * *DON'T* clear the land without using best management practices in accordance with an approved farm resource or forestry management plan.

Date of publication: March 2011

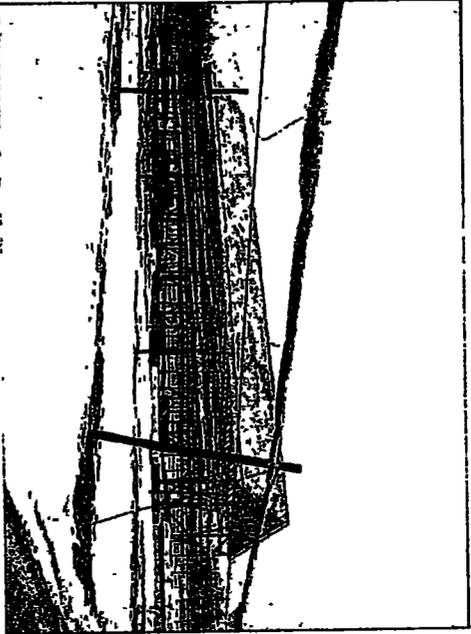
State of Connecticut
Department of Agriculture's
Farmland Preservation
Program



Couler Farm, Suffield (113 acres)

“DO’S and DON’T’S” Brochure

ACTIVITIES PERMITTED ON
RESTRICTED FARMLANDS WITH
APPROVALS:



Thyral Farm, Ellington (171 acres)

Prior approval of the Connecticut Commissioner of Agriculture is needed for the following:

- Local permits to build, replace or expand structures
- Digging or expanding a pond or drainage
- On-site gravel to improve farm roads or farm structure foundations
- Revised/updated conservation plans
- Lease of farm and/or structures – use, terms, duration

Please notify the Commissioner within 90 days prior to sale or transfer of ownership of agricultural lands.

THIS 'DOS' ANF 'DOH'TS'
BROCHURE IS...

Intended for owners of lands preserved through the *State's Farmland Preservation Program* as a guide to what can and can't be done on the State's preserved farmlands.

- ✓ *DO* use the land for agricultural purposes and maintain the agricultural utility of the land.
 - ✓ *DO* contact us should you have any questions about uses of your preserved farmland or specific questions regarding the Program or the deed of conveyance. Our number is 860.713.2511.
 - ✓ *DO* provide us with a copy of your Soil Conservation Plan. These plans are provided by the County USDA-NRCS offices, free of charge. Please provide copies of any resource or waste management plans, or agricultural leases.
 - ✓ *DO* call us about questions related to your deed covenant. Deeds vary and they may or may not provide for a residence, agricultural structures or other improvements or modifications.
 - ✓ *DO* obtain prior approval of the Commissioner of Agriculture prior to obtaining any local building permit, and prior to any construction or site activity. The prior approval is required under C.G.S. 47-42d.
- PLEASE CALL US AT 860.713.2511 WITH ANY STRUCTURE OR LAND USE QUESTIONS. IT'S IN EVERYONE'S BEST INTEREST.**



STATE OF CONNECTICUT

DEPARTMENT OF AGRICULTURE
Office of the Commissioner



Steven K. Reviczky
Commissioner

Phone: 860-713-2501
Fax: 860-713-2514

H.B. No. 5419 (RAISED) ENVIRONMENT. 'AN ACT CONCERNING THE PRESERVATION OF THE SAVIN FARM IN LEBANON'

The Connecticut Department of Agriculture supports the spirit of H.B. No. 5419 (RAISED) ENVIRONMENT. 'AN ACT CONCERNING THE PRESERVATION OF THE SAVIN FARM IN LEBANON.'

Farmland is a precious, nonrenewable, and threatened resource essential to the production of healthful food and other agricultural products for Connecticut's residents. It provides numerous other benefits, including working landscapes that act in conservation of wildlife, purification of air, and mitigation of heat and other environmental factors.

Preserving, in perpetuity, the state's prime and important soils for agricultural purposes is vital to the health of Connecticut's citizens and its environment, both now and for all of the state's generations to follow.

Last year, the General Assembly enacted legislation to preserve the farm at Southbury Training School. This was an outstanding accomplishment and the Department of Agriculture is in the midst of executing that legislation.

The agency recommends completing the process at Southbury before moving ahead with the same model at other properties so that any kinks can be identified and worked out. In the long run, this will save time and taxpayer resources as the state moves ahead in its preservation of other state-owned prime and important farmland soils and farm units.



State of Connecticut

HOUSE OF REPRESENTATIVES
STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591

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SIXTY-NINTH ASSEMBLY DISTRICT

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Arthur ONeill@housegop ct gov

Good afternoon, chair and Meyer and Chairman Gentile and members of the Environment Committee I am here today to testify in favor of bill HB 5419. The purpose of this legislation is to permanently preserve Savin farm in the town of Lebanon.

This legislation follows on the heels of last year's bill which would pass by both chambers and signed by Governor Malloy which preserved Southbury training school Farm. As you know the preservation of Southbury Training School Farm was a long term goal of mine. However I have also supported the broad issue of agricultural land preservation.

In 2009 the General Assembly passed and Governor Reil signed a bill (PA09-08) that created a study of the issue of preserving the various farms owned by the state. That study recommended that these farms be preserved by the use of agricultural easements. The study presented two alternatives One was for the state to transfer the fee interest (title) to the property to an agricultural land preservation organization and retain an easement. The other was for the State to retain the ownership and grant an easement. When

In 2011 introduced legislation not only to preserve Southbury Training School Farm but also the other Farms listed in PA 09-08 I tried both alternatives. The one that seemed most likely to succeed was the latter one which became the basis of last year's successful bill on Southbury.

A ceremonial bill signing was conducted at the STS Farm with Governor Malloy and the process to transfer the land is well under way but not yet completed

I believe that we now have model that can be applied to other properties on the PA09-08 list Savin Farm seems alike it is ready for action.

I can tell you from my experiences that this is not a quick or easy project to complete I started with a bill very similar to this over twenty years ago. Made some progress in the 1990's and renewed my quest in 2011 with the help of this committee and it still took three years to preserve Southbury.

As has often been said the journey of a thousand miles begins with a single step. Let us begin

DEPUTY REPUBLICAN LEADER- AT- LARGE

CHAIRMAN
LAW REVISION COMMISSION

MEMBER
APPROPRIATIONS COMMITTEE
JUDICIARY COMMITTEE
REGULATIONS REVIEW COMMITTEE
LEGISLATIVE MANAGEMENT COMMITTEE