



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

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*Executive Director*

March 14, 2024

Re: Raised Senate Bill 294 - An Act Concerning the Taking of Municipal Park Lands by Municipalities

Honored Co-Chairs Sen. Lopes and Rep. Gresko, Vice Chairs Sen. Hochadel and Rep. Palm, Ranking Members Sen. Harding and Rep. Callahan, Distinguished Members of the Environment Committee,

The Council on Environmental Quality (Council) is a board that works independently of the Department of Energy and Environmental Protection (DEEP) to assess the condition of Connecticut's environment and report its findings annually to the Governor; recommend actions to improve state environmental programs; advise other state agencies on the environmental impacts of proposed projects; and investigate citizens' complaints and allegations of violations of environmental laws.

The Council **strongly supports** Senate Bill 294 that clarifies and strengthens the provision of Connecticut General Statutes Section 7-131n that would require municipalities that take, convert, or repurpose park or open space lands to provide comparable replacement land. Recently, a few courts have interpreted the word "take" in the statute to mean "take by eminent domain", thereby limiting its applicability. The taking of parks and open space by eminent domain is extremely rare, while the conversion of parks to other uses is and has been the more likely occurrence. All parks should be replaced regardless of the mechanism (e.g., eminent domain, conversion, or repurposing) used to place the park into an alternative use. Now more than ever, parks and open space are vital to the health of a community. Parks and open space provide shade to help cool the public in extreme heat, capture flood waters in extreme rain events, protect the carbon sink/oxygen-generating benefits of trees and grasslands, and lower temperatures in nearby neighborhoods.

Thank you for consideration of these comments.

Sincerely,

Paul Aresta  
Executive Director