

COMMISSIONER OF ENVIRONMENTAL PROTECTION

**2005 ANNUAL REPORT
to the
ENVIRONMENT COMMITTEE**

in compliance with

**General Statutes of Connecticut
Section 23-8 (b) State Goal for Acquisition of Open Space**

January 2006

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to the
ENVIRONMENT COMMITTEE
per
GENERAL STATUTES OF CONNECTICUT, SECTION 23-8(b)
STATE GOAL FOR ACQUISITION OF OPEN SPACE

GOAL

Section 23-8(b) of the General Statutes of Connecticut states that, "The goal of the State's Open Space Acquisition Program shall be to acquire land such that ten percent of the state's land area is held by the state as open space land and not less than eleven percent of the state's land area is held by municipalities, water companies or nonprofit land conservation organizations as open space land..."

The Commissioner of Environmental Protection is charged with the responsibility of developing a strategy for achieving the state's goal in consultation with the Council on Environmental Quality and private nonprofit land holding organizations.

STATUS

Connecticut has a total landmass of 3,205,760 acres. Thus, 10 percent of the state's land area is 320,576 acres. To have 21 percent of the state's land preserved as open space would require 673,210 acres to be held by the state, municipalities, private land conservation organizations, and water companies.

The State has acquired approximately 250,684 acres as open space land in its system of park, forest, wildlife, fishery, and natural resource management areas. Of this total, approximately 234,873 acres have been acquired in fee. Acquisition of less than fee interests are atypical, but include the purchase of conservation easements and restrictions. Two of the more noteworthy less than fee purchases include the Kelda and Childs properties. These two acquisitions account for 9,025 acres in conservation easements and 6,273 acres in conservation restrictions. Also, during this past year, an additional 513 acres in conservation easements were acquired in the Towns of East Hampton and Chaplin through the Forestry Legacy Program. Thus, the Department of Environmental Protection (DEP) currently holds 78 percent of the 320,576 acres targeted for state open space acquisition.

It is estimated that nonprofit land conservation organizations own 55,327 acres in Connecticut. Municipalities in Connecticut are estimated to own 72,971 acres of land as open space. Class I and Class II water company lands in Connecticut currently total approximately 97,000 acres. Together, open space acreage held by these entities is 225,298 acres. Based on a target of 352,630 acres in total open space holdings for these entities, they currently hold 64 percent of their targeted open space goal.

The 250,684 acres of state open space represents 8 percent of Connecticut's land area, and the 225,298 acres of open space held by municipalities, non-profits and water companies is 7 percent. This results in a total of 475,982 acres held as open space or fifteen percent of Connecticut's land area.

ACQUISITION NEEDS

To meet the goals set forth in the statute, the State of Connecticut must acquire an additional 69,892 acres of open space and encourage the acquisition of 127,332 acres by municipalities, private nonprofit land conservation organizations and water companies.

ACTION 2005

I. PLANNING:

A. Property Review. The DEP continues to review and evaluate properties eligible for purchase through the Recreation and Natural Heritage Trust Program (RNHTP). During the past year, 52 properties were reviewed, 23 of which were approved for acquisition. The number of properties submitted for review as possible acquisitions was slightly less than last year (55 properties reviewed in 2004), and remains significantly less than in previous years. In 2002, 122 properties were reviewed with 33 approved for acquisition. This reduced number of applications is attributable to the lack of funds available for acquisition through the RNHTP.

B. Open Space Inventory. The Department of Environmental Protection (DEP) continues to make progress on the Protected Open Space Mapping (POSM) project designed to catalogue all protected open space in Connecticut, including State, Municipal, and non-profit holdings. Municipal and non-profit ownership of lands have not been updated since 1990. This project will result in the completion of a Geographic Information System (GIS) geodatabase encompassing all 169 Connecticut municipalities. At present, data from 61 municipalities has been mapped and catalogued. Once completed, the GIS database will provide an accurate measurement of the State's open space lands and will more accurately assess the State's progress in meeting Connecticut's goal of preserving 21 percent of its total acreage as open space by 2023.

C. N.U. Property Review. The Conservation List consisting of Northeast Utilities properties, which were identified by DEP as desirable for purchase as open space, as a result of a Memorandum of Understanding (MOU) signed on April 12, 2000, will remain in effect for a period of ten (10) years running from July 1, 2004 to June 30, 2014. The "Conservation List" is a list of those parcels identified as desirable for purchase as open space. This list was finalized on July 2, 2004 and is used to identify NU properties located adjacent to other prospective acquisitions that may create greenway opportunities.

D. SCORP. DEP developed Connecticut's State Comprehensive Outdoor Recreation Plan (SCORP). This Plan will serve two purposes. First, it was submitted to the National Park Service (NPS) to meet requirements for funding under the Federal Land and Water Conservation Fund Program. This Program provided DEP with \$1,379,412 in FY 2005 that may be used for open space preservation or the establishment of facilities for public recreational use. Second, the Plan assesses the status of Connecticut's outdoor recreational resources. The Plan will serve as a building block in Connecticut's overall strategy for open space acquisition and the development of outdoor recreational facilities.

During 2005, DEP completed an inventory of recreational facilities and a needs assessment component of the SCORP.

E. CELCP. Connecticut's Coastal and Estuarine Land Conservation Plan (CELCP) is a federal grant program established by Congress to better protect coastal and estuarine areas that have significant conservation, recreation, ecological, historical or aesthetic values, especially those areas threatened by conversion from their natural or recreational status to other uses. DEP's Office of Long Island Sound Programs (OLISP) has identified what comprises "key coastal land conservation needs within Connecticut." DEP's Land Acquisition and Management Division (LAM) working with OLISP compiled a list of several potential property acquisitions, which coincide, with the list of priority areas. LAM, OLISP and The Nature Conservancy met with local land trusts and municipal partners regarding several properties located on the Connecticut River. In December of 2005, DEP responded to a Notice of Federal Funding Opportunity issued by the National Oceanic and Atmospheric Administration. DEP nominated a 649-acre coastal land acquisition conservation project in partnership with the Town of Guilford to protect one of the largest remaining areas of undeveloped coastal land in Connecticut with significant ecological and recreational value. DEP expects to be notified in the Spring of 2006 if its coastal land acquisition proposal was selected for possible funding through CELCP's fiscal year 2007 appropriations process.

II. ACHIEVING STATE GOAL:

A. State Acquisitions. During 2005, DEP acquired 132.92 acres in seven (7) municipalities at a total purchase price of \$500,429. Purchases were made through the RNHTP, which is the DEP's principal means for meeting the 10 percent open space goal of acquiring lands for Connecticut's system of parks, forests, wildlife, fisheries, water access and natural resource management areas. A list of properties acquired through the RNHTP during calendar year 2005 is included in Appendix A.

B. Barn Island. DEP recorded a Notice of Grant Agreements to support the use of three previous property and conservation easement acquisitions to meet the State's 25 percent share of the total project cost. The Final Performance Report and the required

documentation were submitted to the U.S. Fish and Wildlife Service to authorize the reimbursement of the \$1,000,000 grant.

C. Highlands Program: Provides funding for the acquisition of lands or interest in land (forest and farm) in the states of Connecticut, New York, New Jersey and Pennsylvania. Since the Highlands Conservation Act was enacted in November of 2004, no funds have been appropriated either for land conservation projects or Forest Stewardship activities. During 2005, DEP submitted three projects for funding. They are Jones Mountain property located in New Hartford, Embree property located in Sherman, and Sweeton Pasture Lot located in Canton. Although no Highland funds were appropriated, the Sweeton Pasture Lot and the Jones Mountain properties were approved for funding through the Open Space and Watershed Grant Program.

D. Forest Legacy. Two Forest Legacy projects were completed during 2005. The Stone House Brook project involved the acquisition of a conservation easement and restriction over approximately 478 acres in the Town of Chaplin with \$596,000 of federal funds. The Peaceful Hill project involved the acquisition of a conservation easement and restriction over approximately 35 acres in the Town of East Hampton with \$162,714 of federal funds. The State's 25 percent share of both projects was accomplished using the Trost Property acquisition in the Town of New Fairfield as a match. That acquisition involved the addition of 44.53 acres to Pootatuck State Forest at a cost of \$311,675.

For FY 2006, 2.4 million was requested for the Skiff Mountain project located in Kent and Sharon to protect 907 acres owned by seven adjoining landowners. Approximately \$1.2 million was appropriated for the project.

III. ASSISTING MUNICIPALITIES AND NONPROFIT ORGANIZATIONS:

A. Grant Awards. During 2005, \$6,643,442. was awarded to twenty-nine projects through the Open Space and Watershed Land Acquisition Grant Program (OSWA) for the acquisition of approximately 2,011 acres of permanently protected open space land. The grant program leverages state, local and private funds to create a cooperative open space acquisition program. The OSWA Grant Program provides grant funds to municipalities and private nonprofit land conservation organizations for the acquisition of open space land and to water companies to acquire land classified as Class I and Class II watershed land. The State of Connecticut receives a conservation and public access easement on property acquired to ensure that the property will be protected and available to residents of Connecticut as open space in perpetuity. Class I watershed land is sometimes exempt from the public access requirement for health and safety reasons. Property acquisitions funded through the OSWA Grant Program during calendar year 2005 are listed in Appendix B. Additionally, properties closed through the OSWA Grant Program during calendar year 2005 are listed in Appendix C.

B. Community Investment Act. During the 2005 Legislative Session, an act was passed which creates a mechanism to fund affordable housing development, farmland acquisitions, open space purchases, and historic preservation. It requires town clerks to collect an additional \$30 fee for each document they record in the town's land records. The state receives \$26 of each recorded document fee and the town keeps \$4. Of the monies collected, the DEP will receive 25 percent for municipal open space grants. The estimated revenue is \$5,540,000.

AGENDA 2006

A. State Acquisition. As bond funds are available, DEP, LAM Division will continue to evaluate and acquire land through the RNHTP. Currently, there are properties with a value of approximately \$17,000,000 in advanced stages of closing. In addition, there are properties with an approximate value of \$67,000,000 that have been approved for acquisition.

B. Grants. If Bond Funds are allocated for the Open Space and Watershed Land Acquisition Grant Program, a "twelfth round" of grants to municipalities, private nonprofit land organizations and water companies will be announced in Spring 2006. Included in the grant rounds will be funds derived from the Community Investment Act.

C. Open Space Inventory. The DEP will continue the process of collecting the data to complete the Protected Open Space Mapping Project (POSM). DEP estimates it will complete the collection of data from an additional 50 municipalities during 2006, for a total of 110

D. Property Review. The DEP will continue the on-going process of evaluating properties to potentially add to Connecticut's open space inventory. This process is carried out under the statutory authority of CGS 23-75, the Recreation and Natural Heritage Trust Program (RNHTP). During the past year, 55 properties were considered, of which 27 were approved for potential purchase.

E. CELCP. The DEP, in cooperation with the National Oceanic and Atmospheric Administration (NOAA), will pursue Federal matching grant money for property acquisitions that meet the established guidelines for CELCP. It is expected that NOAA will conduct a competitive grant process open to coastal states with approved CELCP Plans beginning in FY2006. DEP's LAM Division and Office of Long Island Sound Programs (OLISP) have identified several important parcels located along the Connecticut River in Lyme, as well as an island located in the Connecticut River that would be ideal candidates for a CELCP Grant. LAM will work closely with OLISP, The Nature Conservancy, and the local land trusts, to negotiate purchase contracts with the property owners, contingent upon the DEP's success in obtaining matching federal grants under this program.

F. Forest Legacy : The DEP has applied for FY 2007 funding in the amount of \$1.2 for the Skiff Mountain Project, Phase II, located in the Towns of Kent and Sharon.

G. Highlands Program: The DEP has applied for FY 2007 funding to assist in the acquisition of the Litchfield Farms Property. The property is located in the Towns of Litchfield and Torrington and consists of 753 acres of land. Preservation of this property would provide ridgeline and scenic vista protection for both the Towns of Litchfield and Torrington.

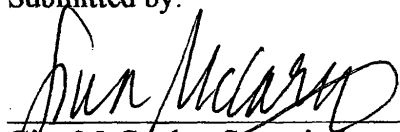
H. Encroachment Issues: LAM has documented all known encroachments. There are hundreds of encroachments that need to be addressed by survey and DEP property management staff. LAM is currently devising an Encroachment Policy and pursuing funds to hire a licensed surveyor and crew.

CONCLUSION:

The Connecticut Department of Environmental Protection, working together with municipalities, water companies and private nonprofit land conservation organizations, has continued the State's progress toward meeting Connecticut's open space goals. Since July 1998, DEP on behalf of the State of Connecticut has acquired or has protected 40,485 acres and has provided grant funding for the acquisition of an additional 20,029 acres.

The Department of Environmental Protection with the support of the Governor and General Assembly will continue to build on this success.

Submitted by:



Gina McCarthy, Commissioner
Department of Environmental Protection

S:REPORTS/2005ANNUALREPORT

APPENDIX A

PROPERTY ACQUISITIONS

JANUARY 1 , 2005 - DECEMBER 31, 2005

RECREATION AND NATURAL HERITAGE TRUST PROGRAM				
PROPERTY NAME	LOCATION	ACREAGE	PURCHASE PRICE	PURPOSE OF ACQUISITION
Dorhmann	Canton	5.40	\$25,254	Addition to Nepaug State Forest
Franklin Farms	Voluntown	53.77	\$100,000	Addition to Pachaug State Forest
Giannamore	South Windsor	6.28	\$0	Addition to Scantic River State Park
Granby Land Trust	Granby	3.38	\$0	Addition to Enders State Forest by Granby Land Trust who received the property as a donation from the Kraiza family
Hayes	Hamden	4.61	\$0	Addition to Sleeping Giant State Park
RailAmerica (CSO)	Manchester	1.80	\$60,000	Addition to Hop River Trail State Park
Sinoway	Hamden	10.63	\$0	Addition to Sleeping Giant State Park
Stoppa	Durham	2.52	\$3,500	Addition to Durham Meadows Wildlife Management Area
Trost	New Fairfield	44.53	\$311,675	Addition to Pootatuck State Forest
Subtotal		132.92	\$500,429	
FOREST LEGACY PROGRAM				
Stonehouse Brook Project*	Chaplin	478.00	\$596,000	Acquisition of Conservation Easement from seven property owners
Peaceful Hill Project*	East Hampton	34.62	\$162,714	Acquisition of Conservation Easement
Subtotal		512.62	\$758,714	
* Conservation Easement				
Total		645.54	\$1,259,143	

APPENDIX B

OPEN SPACE AND WATERSHED LAND ACQUISITION GRANTS AWARDED - FALL 2005

SPONSOR	PROJECT	TOWN	ACERAGE	LAND VALUE	GRANT
Town of Somers	Whitaker Woods	Somers	266.50	\$1,175,000.00	\$450,000.00
Connecticut Forest & Park Association	North Property	Willington	80.00	\$250,000.00	\$146,250.00
Town of Manchester	Case Mountain	Manchester	26.00	\$104,000.00	\$60,840.00
Town of Glastonbury The Nature Conservancy	Cavanaugh Property	Glastonbury	56.00	\$475,000.00	\$213,750.00
Town of Willington	Talmadge Property	Willington	28.00	\$125,000.00	\$73,125.00
The Nature Conservancy	Zemko Property	Salem	68.00	\$240,000.00	\$108,000.00
Town of Glastonbury The Nature Conservancy	Marchand Property	Glastonbury	60.00	\$280,000.00	\$163,800.00
Trust for Public Lands	Goula Open Space	New Hartford	118.00	\$1,100,000.00	\$450,000.00
The Nature Conservancy	Noyes Property	North Stonington	303.00	\$750,000.00	\$337,500.00
Town of Woodbridge	Race Brook Tract - Phase II	Woodbridge	66.50	\$835,000.00	\$375,750.00
Town of East Lyme	Clark Pond	East Lyme	95.00	\$520,000.00	\$222,300.00
Southbury Land Trust	Mitchell Farm's Pootatuck Bk.	Southbury	41.00	\$775,000.00	\$331,312.00
Town of Berlin	Scheer & Sierra Property	Berlin	86.00	\$1,525,000.00	\$450,000.00
Town of New Milford	Reservoir #4	New Milford	170.19	\$1,940,000.00	\$450,000.00
Town of East Lyme	Bayberry Associates Property	East Lyme	62.00	\$550,000.00	\$247,500.00
Town of Farmington	Coppermine Rd. Lot 5/8A	Farmington	39.94	\$770,000.00	\$329,175.00
Town of Newtown	Laurel Trail	Newtown	17.60	\$350,000.00	\$157,500.00
Town of Wallingford	Cuneo Property	Wallingford	17.00	\$700,000.00	\$409,500.00
City of Middletown	Graves Farm	Middletown	26.92	\$400,000.00	\$222,300.00
Suffield Land Conservancy	Kope Property	Suffield	37.00	\$75,000.00	\$33,750.00
City of Milford	Geib/Attolino Sod Farm	Milford	21.00	\$297,500.00	\$133,875.00
Norwalk Land Cons.Trust	White Barn	Norwalk	18.40	\$2,400,000.00	\$450,000.00
City of Shelton	Above the Overlook	Shelton	6.91	\$75,000.00	\$33,750.00
Trust for Public Lands	Jones Mountain	New Hartford	172.00	\$1,300,000.00	\$450,000.00
Essex Land Conservation Trust	Jean's Island	Essex	7.70	\$34,000.00	\$15,300.00
Kongscut Land Trust	Civilillo Property	Glastonbury	9.08	\$22,000.00	\$9,900.00
Canton Land Conser. Trust	Sweeton Pasture	Canton	43.70	\$190,550.00	\$85,747.00
Town of Stratford	Albertsen Acquisition	Stratford	1.98	\$40,000.00	\$18,000.00
Town of Oxford	Tetlak Estate	Oxford	66.00	\$760,000.00	\$214,518.00
TOTALS			2011.42	\$18,058,050.00	\$6,643,442.00

APPENDIX C

OPEN SPACE AND WATERSHED LAND ACQUISITION GRANTS COMPLETED JANUARY 1, 2005 THROUGH DECEMBER 31, 2005

SPONSOR	PROJECT	ACERAGE	GRANT
Town of Stratford	James Farm Road	32.698	\$227,500.00
Town of Hebron	East Street Open Space	40.489	\$47,500.00
Town of Manchester	Case Mountain	17.4	\$38,475.00
Clinton Land Trust	Arnold Preserve at Onion Mtn.	66.5	\$54,000.00
Town of Westbrook	Lake Laconia	45.55	\$318,500.00
Town of Durham	Wimler Property	280.1	\$494,000.00
Town of Guilford	Wimler Property	92.8	\$185,600.00
Town Woodbridge	Racebrook Tract Phase I	61.8	\$387,500.00
Southbury Land Trust	Lovdal Farm	49.38	\$324,385.00
The Nature Conservancy	Beehive & Shunock Parcels	54.51	122,500.00
Town of Wallingford	1351 Scard Road	12.79	\$151,500.00
City of Middletown	Lamentation Mountain	46.475	\$55,900.00
Town of Newtown	Pole Bridge Open Space	20.92	\$138,775.00
		821.412	\$2,546,135.00