

COMMISSIONER OF ENVIRONMENTAL PROTECTION

2004 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 2005

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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 as Class I and Class II watershed land.

The State has acquired approximately 250,038 acres as open space land in its system of park, forest, wildlife, fishery, and natural resource management areas. Of this total, approximately 234,740 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.

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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 53,327 acres in Connecticut. Municipalities in Connecticut are estimated to own 69,871 acres of land as open space. Class I and Class II water company lands in Connecticut currently total approximately 96,009 acres. Together, open space acreage held by these entities is 219,207 acres. Based on a target of 352,630 acres in total open space holdings for these entities, they currently hold 62 percent of their targeted open space goal.

The 250,038 acres of state open space represents eight percent of Connecticut's land area, and the 219,038 acres of open space held by municipalities, non-profits and water companies is seven percent. This results in a total of 469,245 acres held as open space, 15 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 70,538 acres of open space and encourage the acquisition of 123,508 acres by municipalities, private nonprofit land conservation organizations and water companies.

### ACTION 2004

#### I. Planning:

- A. **Property Review.** Although additional funds were not approved, the DEP continued to review and evaluate properties eligible for purchase through the Recreation and Natural Heritage Trust Program (RNHTP). During the past year, 55 properties were reviewed, 24 of which were approved for acquisition. The number of properties submitted for review as possible acquisitions was slightly greater than last year (37 properties reviewed in 2003), but remains significantly less than in previous years. In 2001, 161 properties were reviewed with 48 approved for acquisition. In 2002, 122 properties were reviewed and 33 approved for acquisition. This reduced number of applications is attributable to the lack of funds available for acquisition through the Recreation and Natural Heritage Trust Program.
- B. **Open Space Inventory.** The Department of Environmental Protection (DEP) contracted with Applied Geographics, Inc. (AGI) to create a Geographic Information System (GIS) using spatial and attribute data for all parcels that meet DEP criteria for protected open space. When completed, the information will encompass all 169 Connecticut municipalities. The GIS database will provide an accurate measurement of the State's open space lands and will assess the State's progress in meeting Connecticut's goal of preserving 21 percent of its total acreage as open space by 2023. A working test sample, encompassing data for 36 towns along the coast, has been mapped and catalogued. Based upon these initial products, DEP and AGI reevaluated the project criteria and instituted amendments to enhance the overall utility of the final product.
- C. **N.U. Property Review.** The DEP finalized the review of Northeast Utilities Properties in accordance with the Memorandum of Understanding (MOU) signed on April 12, 2000. A "Conservation List" of those parcels identified as desirable for purchase as open space was finalized in July 2004. The list includes 372 of the 849 NU properties reviewed for possible purchase should those properties become available. The properties total approximately 9,590 acres in 91 towns.

- D. **Water Company Property Review.** The DEP completed a review and evaluation of Class I, Class II, and Class III water company land holdings for the Connecticut Water Company, a major subsidiary of Connecticut Water Services, Inc., and provided the company with the final list, which identified 240 of the 372 properties reviewed, as desirable for acquisition. The DEP also completed a review of the Torrington Water Company land holdings in June 2004. The final list of properties considered desirable for acquisition included 17 of the 19 parcels of land owned by the Torrington Water Company totaling approximately 5,029 acres

The MOU for the Aquarion Company will expire on March 25, 2005, while the MOU for Birmingham Utilities, Inc. expired on December 17, 2004. A review and evaluation of their land holdings for possible acquisition by DEP was not completed as neither company provided DEP with a complete listing of their company's holdings.

- E. **SCORP.** DEP initiated action to develop Connecticut's State Comprehensive Outdoor Recreation Plan (SCORP). This plan will serve two purposes. First, it will be submitted to the National Park Service (NPS) to meet requirements for funding under the Federal Land and Water Conservation Fund program. This program will potentially provide DEP with approximately \$2.0 million annually that may be used for open space preservation or the establishment of facilities for public recreational use.

Second, the Plan will assess 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.

In 2004, DEP and the University of Connecticut made significant progress in developing an inventory of recreational facilities. Additionally, substantial headway has been made on the needs assessment component of the SCORP.

- F. **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 state to other uses. Congress is encouraging states to work in cooperation with the National Oceanic and Atmospheric Administration (NOAA), which has established guidelines for CELCP. DEP's Office of Long Island Sound Programs has completed the first step of identifying what comprises "key coastal land conservation needs." A draft list of priority areas that meet the identified land conservation needs has been assembled. DEP's Land Acquisition and Management Division (LAM) have begun to compile a list of possible future property acquisitions to coincide with the list of priority areas. In addition, LAM provided analysis and documentation demonstrating the higher land cost

associated with waterfront and water influenced parcels that are located within areas identified as "key coastal or priority areas." The cost premium associated with such parcels provides added support for the State's need for matching grant monies in order to pursue this type of acquisition.

## II. Achieving State Goal:

- A. **State Acquisition.** In 2004, the DEP acquired 1,019 acres in 13 municipalities for a total purchase price of \$3,658,192. Purchases were made through the Recreation and Natural Heritage Trust Program, the DEP's principal means for meeting the 10 percent open space goal by acquisition of lands for Connecticut's system of parks, forests, wildlife, fisheries, water access and natural resource management areas. A list of properties acquired through the Recreation and Natural Heritage Trust Program during calendar year 2004 is included in Appendix A.
- B. **Barn Island.** The DEP completed the application, entailing extensive documentation, necessary to support the \$1,000,000 reimbursement grant from the U.S. Fish & Wildlife Service's National Coastal Wetlands Grant Program. The Federal grant was provided to assist the DEP with the acquisition of 144 acres to expand the Barn Island Wildlife Management Area. The acquisition by the DEP was accomplished in July 2004. The DEP negotiated the purchase in 2003, and asked The Nature Conservancy of Connecticut to take title to the property and hold it until funding was secured.
- C. **Grant From Sarah Ann Martin Estate.** The DEP was successful in winning a private grant totaling approximately \$429,000 from the executors of the Estate of Sarah Ann Martin. Property, consisting of a single family dwelling adjacent to South Cove in Old Saybrook, was originally left to the State of Connecticut by Sarah Ann Martin in her will "for use as a focal point for the study and preservation of Connecticut's coastal wetlands and/or other environmentally protective, non-development uses." The State could not utilize the dwelling and had no authority to sell the property. The executors of the estate successfully petitioned the court to allow them to sell the property and donate the proceeds. A competitive bid process for the funds ensued. The DEP's Division of Land Acquisition and Management, Office of Long Island Sound Programs and the Division of Wildlife submitted two proposals to the Executors of the Estate of Sarah Ann Martin and the Old Saybrook Probate Court for the use of funds. The executors and the court selected the DEP as the recipient and subsequently awarded DEP a total of approximately \$429,000. In accordance with DEP's proposal, portions of the funds were used to complete the acquisition of the 144-acre addition to Barn Island WMA. The remaining money has been set up in a long-term investment fund administered by the Community Foundation of Southeastern Connecticut. These monies will be used to fund educational, scientific and research projects at Barn Island Wildlife Management Area as part of a stewardship account.

### III. Assisting Municipalities and Nonprofit Organizations:

- A. **Grant Awards.** In 2004, \$4,911,360 was awarded to 15 acquisition projects through the Open Space and Watershed Land Acquisition Grant Program for the acquisition of approximately 1,895 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 Open Space and Watershed Land Acquisition 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 Open Space and Watershed Land Acquisition Grant Program during calendar year 2004 are listed in Appendix B.

#### AGENDA 2005

- A. **State Acquisition.** As bond funds are available, evaluate and acquire land through the Recreation and Natural Heritage Trust Program. Currently, there are purchase and sale agreements pending with a total value of approximately \$2,212,750. In addition, three properties are in advanced stages of negotiations for acquisition with an estimated cost of approximately \$4,700,000.
- B. **Landscape Legislation.** DEP is exploring enhancement of the Recreation and Natural Heritage Trust Program, currently its main vehicle for protecting open space. By expanding the program to permit the acquisition of conservation easements, modeled after the successful Federal Forest Legacy Program, the DEP will be able to stretch its conservation dollars and continue to meet its goal of preserving open space.
- C. **Grants.** If Bond Funds are allocated for the Open Space and Watershed Grant Program, an "eleventh round" of grants to municipalities, private nonprofit land organizations and water companies will be announced in Spring 2005.
- D. **Inventory.** The DEP will continue to work with AGI on final adjustments to the project criteria and compile the inventory of protected open space in Connecticut.
- E. **Property Review.** The Department of Environmental Protection will continue restructuring the seventeen-year-old process used to select potential properties for acquisition as additional State-owned recreation and conservation lands. The final goal of this restructuring will be to streamline the review process for

eventual interactive computerization, thereby increasing efficiency. The tentative goal for completion of this restructuring is December 2005.

- F. **CELCP.** Connecticut's Coastal and Estuarine Land Conservation Plan (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 fiscal year 2006. However, grants can be applied for during fiscal year 2005 as an "earmark request." DEP's Land Acquisition and Management Division (LAM) will be responsible for all aspects of the acquisition process and will work closely with OLISP on applying for matching federal grants under this program when appropriate.
- G. **Forest Legacy.** The DEP now manages the Forest Legacy Program, which was previously administered by the USDA Forest Service. The DEP contracts for appraisals, title searches, and surveys; negotiates the purchase price; and prepares all the legal documents associated with the transactions. Negotiations for the Stonehouse Brook Project, which received a federal grant for \$1,093,000, were successfully completed in July, 2004 with six of the seven landowners involved in the project. The closings will occur in the second quarter of 2005. The project currently involves the acquisition of easements over approximately 513 acres comprised of 12 parcels from six landowners along Stonehouse Brook in the Town of Chaplin.

Administrative work has begun on two projects funded for FY 2004:

1. Peaceful Hill, East Hampton consists of 40 acres with federal funding of \$198,000. The easement has been appraised and an agreement has been reached with the landowner. The title search and survey will be scheduled for completion as soon as possible.
2. Nipmuck, Stafford consists of 132 acres with federal funding of \$346,000. The easement is currently being appraised.

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Skiff Mountain located in the towns of Kent and Sharon consists of 941 acres and has received federal funding of \$2,000,000 for FY 2006. That project will be initiated next summer during FY 2006.

Funding for Nightingale Brook located in Pomfret and Woodstock and consisting of 1,000 acres, will be requested for FY 2007. The federal share would be \$1,500,000 with a non-federal cost share of \$500,000 for a total project cost of \$2,000,000.

- IV. **SCORP.** The DEP anticipates the completion of its State Comprehensive Outdoor Recreation Plan and its submission to the NPS for Federal Land and Water Conservation

Act funding in August 2005. DEP has made significant progress in developing and finalizing this plan.

## 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 39,839 acres and has provided grant funding for the acquisition of an additional 18,018 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

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**APPENDIX A**

**RECREATION AND NATURAL HERITAGE TRUST PROGRAM  
ACQUISITIONS  
JANUARY 1, 2004 THROUGH DECEMBER 31, 2004**

<b>PROPERTY NAME</b>	<b>LOCATION</b>	<b>FEE ACREAGE</b>	<b>PURCHASE PRICE</b>	<b>PURPOSE OF ACQUISITION</b>
Pallone	North Stonington	10.9	\$14,000	Addition to Pachaug SF
Yiamouyiannis	Salem	134.7	\$296,384	Addition to Eight Mile River Watershed
Richards	Redding	0.538	\$0	Adjacent (addition) to Kelda Property
Hoffman	New Hartford	0.47	\$0	Frontage on Farmington River
Kresge	Lebanon	18.39	\$75,000	Adjacent to Bartlett Brook WMA
Carini	Glastonbury	53.463	\$114,517	Addition to Meshomoc State Forest
MacCurdy-Salisbury	Lyme & Old Lyme	189.49	\$620,000	Frontage on Rogers Lake
King (Yorker)	Barkhamsted	103.071	\$278,291	Addition to American Legion State Forest
Barkhamsted Land Trust	Barkhamsted	0.28	\$0	Donation associated with the King Property
TNC f/k/a Manuosos	Stonington	144.11	\$1,250,000	Addition to Barn Island Wildlife Management Area. DEP negotiated purchase with Manuosos Family and asked TNC to hold the property until a Coastal Wetlands Conservation \$1,000,000 grant was secured. An additional \$400,000. In private funds were raised to complete the purchase.
New Britain Water	Burlington	311.3	\$475,000	Addition to Sessions Woods
Brodach Chamberlain	Cheshire	9.08	\$0	Borders Farmington Canal Trail
Przyborowski	Preston	41.3	\$400,000	Frontage on the Quinebaug River
Edwards	East Hampton	1.91	\$135,000	Addition to Wopowog Wildlife Management Area
<b>Total</b>		<b>1,019.0</b>	<b>\$3,658,192</b>	

**APPENDIX B**

**OPEN SPACE WATERSHED LAND ACQUISITION  
GRANTS AWARDED - SPRING 2004**

<b>SPONSOR</b>	<b>PROJECT</b>	<b>TOWN</b>	<b>ACREAGE</b>	<b>AMOUNT</b>	<b>GRANT AMOUNT</b>
TOWN OF SPRAGUE	MUKLUK PROPERTY	SPRAGUE	280	\$1,000,000	\$500,000
TOWN OF BRANFORD	SALTONSTALL MTN. - BENDER PROP.	BRANFORD	120	\$1,900,000	\$450,000
TOWN OF MANSFIELD	DORWART PROPERTY	MANSFIELD	76	\$325,000	\$146,250
CANTON LAND CONSVR. TRUST	ARNOLD PRESERVE AT ONION MTN.	CANTON	66.5	\$120,000	\$54,000
TOWN OF MONROE & TRUST FOR PUBLIC LAND	WEBB CIRCLE	MONROE	107	\$3,770,000	\$450,000
TOWN OF LYME & THE NATURE CONSERVANCY	JEWETT PROPERTY	LYME	431	\$2,600,000	\$450,000
TOWN OF FARMINGTON	LOT I-60 COLLINSVILLE RD + C-2 RIVER	FARMINGTON	102.8	\$1,600,000	\$450,000
TOWN OF MONROE & TRUST FOR PUBLIC LAND	WEBB MTN. EXTENSION	MONROE	60.5	\$1,271,000	\$450,000
GROTON UTILITIES (TOWN)	PORTER PROPERTY	GROTON	34	\$105,000	\$68,250
TOWN OF MANCHESTER	CASE MOUNTAIN	MANCHESTER	17.4	\$87,500	\$38,475
TOWN OF FARMINGTON	LOT 7A BURNT HILL ROAD	FARMINGTON	64.9	\$1,560,000	\$450,000
OLD SAYBROOK LAND TRUST & TOWN OF OLD SAYBROOK	FAIRBANK FARM PRESERVE	OLD SAYBROOK	51.1	\$400,000	\$180,000
TOWN OF THOMPSON	HERITAGE WAY PARK EXTENSION	THOMPSON	154	\$900,000	\$450,000
TOWN OF HADDAM & THE NATURE CONSERVANCY	ELM/JOHNSON PROPERTY	HADDAM	280	\$1,650,000	\$450,000
SOUTHBURY LAND TRUST	LOVDAL FARM 1	SOUTHBURY	50	\$940,000	\$324,385
<b>Total</b>			<b>1,895.2</b>	<b>\$18,228,500</b>	<b>\$4,911,360</b>

**APPENDIX C**

**OPEN SPACE WATERSHED LAND ACQUISITION  
GRANTS COMPLETED  
JANUARY 1, 2004 THROUGH DECEMBER 31, 2004**

<b>SPONSOR</b>	<b>PROJECT TITLE</b>	<b>ACREAGE</b>	<b>GRANT</b>
City of West Haven	United Illuminating Property	19.00	\$119,250
Town of Stratford	United Illuminating Property	6.55	\$87,750
City of Middletown	Middletown Waterfront Park	1.49	\$178,750
Town of Killingworth	Pond Meadow Natural Area	18.60	\$24,863
Town of Farmington	LOT 32 Poplar Bars Road	37.60	\$314,125
Town of Southington	Peterson Property	79.24	\$786,500
Town of North Branford	Panko Property	65.70	\$550,000
The Nature Conservancy	Urbanik Property	85.10	\$127,500
Town of Enfield	Scantic River Acquisition	29.14	\$15,614
Town of Farmington	184 Town Farm Road	17.299	\$175,230
Guilford (Land Trust)	Bluff Head	60.8	\$106,020
The Nature Conservancy (Old Lyme)	Lay Property	181	\$175,750
Town of Wallingford	Williams Farm Acquisition	93.723	\$339,625
Town of Essex	Viney Hill Brook Preserve	61.01	\$173,375
Towns of Eastford & Woodstock	BSA Camp Nahaco Property	120.20	\$109,200
Town of East Haddam	Lord Wellington Subdivision	28.49	\$81,304
City of Middletown	Wilcox Prop. Lamentation Mtn.	71.49	\$209,108
Regional W. A. (Killingworth)	Smith Property	40.1	\$96,240
Town of Milford	Wampus Lane	33.34	\$175,000
Kent Land Trust & Sharon Land Trust	Skiff Mountain North	205.00	\$750,000
Kent Land Trust	Skiff Mountain South	252.00	\$514,000
Simsbury Land Conservancy	Rosedale Farm - Easement	105.00	\$527,500
Goshen Land Trust, Inc.	Kovalcik Property	16.47	\$45,000
City of Shelton	Indian Well Overlook	9.65	\$72,000
Friends of the Linear Trail, Inc	Lower Firewoks Island Proj.	25.00	\$37,500
Salem Land Trust	Ahnert Open Sp. Land Acq.	6.07	\$10,000
Town of Tolland	Campbell Property	70.00	\$200,000
New Milford	Henderson Farm	82.40	\$411,500
<b>Total</b>		<b>1,821.5</b>	<b>\$6,412,704</b>