

House Republican Press Release

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New Law to Protect Town Character



Rep. Mike Alberts Co-sponsored Measure to Preserve Farms and Heritage

State Rep. Mike Alberts, R-50th, Brooklyn, Eastford, Hampton, Pomfret, Woodstock, said a new law signed by Gov. M Jodi Rell will help towns in restoring and preserving the natural, agricultural and historic resources that constitute the face of Connecticut.

Rep. Alberts said, “The new law will help towns acquire farmland or purchase the development rights to protect it from development. These farms not only provide food, milk and dairy products, but they also are part of the culture and heritage that should be preserved.”

This bill increases grant amounts for the Open Space and Watershed Acquisition Grant Program. It also creates a loan program to help municipalities purchase agricultural land. By law, grants under the Open Space and Watershed Acquisition Grant Program are capped at certain percentages of a desired property's fair market value. The bill increases those percentages.

The bill requires the Department of Agriculture (DOAG) commissioner to administer a program that provides eligible municipalities with loans to purchase agricultural land.

The bill establishes the “municipal purchasing of agricultural land account” as a separate, non-lapsing account within the General Fund. It specifies that the account may contain any money the law requires to be deposited in it. The DOAG commissioner must use the account funds to provide municipalities the interest-free agricultural land acquisition loans.

The bill authorizes the DOAG commissioner to adopt regulations that establish the criteria for the agricultural land acquisition loans and the terms governing the loans. It also makes a technical change.

OPEN SPACE AND WATERSHED LAND ACQUISITION PROGRAM

By law, this program provides financial assistance to municipalities and nonprofit land conservation organizations to acquire open space and watershed land and water

companies to acquire water supply property. The land or watershed must meet certain eligibility criteria

Under current law, the DEP commissioner may make Open Space Acquisition and Watershed Acquisition Grants to:

1. a municipality for open space acquisition or for acquisition of land for water supply protection;
2. non-profit land conservation organizations for acquisition of land for open space or watershed protection;
3. water companies to acquire land that is eligible to be classified as class I or II land; or
4. a distressed municipality or targeted investment community, or with such a municipality's permission, a nonprofit land conservation organization, to acquire land for open space preservation—the bill additionally allows such a municipality or community to also give permission to a water company.

Under current law, a grant to a municipality cannot exceed 50% of the land's fair market value or interest. The bill increases the amount to 65%.

The bill also increases the cap amount on the percentage of land value:

1. from 50% to 65% for grants to nonprofit land conservation organizations for acquisition of land for open space or watershed protection,
2. from 40% to 65% for grants to water companies to acquire land that is eligible to be classified as class I or II land, and
3. from 65% to 75% for grants to distressed municipalities, targeted investment communities, or the entity they approve for open space acquisition.

Open Space and Watershed Land Acquisition Grant Program Eligibility Criteria

To be eligible for funding, the land must be:

1. valuable for recreation, forestry, fishing, conservation of wildlife, or natural resources;
2. a prime natural feature of the state's landscape;
3. a habitat for native plants or animals listed as threatened, endangered, or of special concern;
4. a relatively undisturbed and outstanding example of an uncommon native ecological community;
5. important for enhancing and conserving water quality;
6. valuable for preserving local agricultural heritage; or
7. eligible for class I or class II watershed land classification.

Farmland Preservation Purchase of Development Rights (PDR) Program

The state's primary farmland preservation program is the voluntary Farmland Preservation PDR Program, which allows DOAG to purchase from farmers development rights to preserve prime and important farmland. As of January 3, 2007, the Farmland Preservation Program had preserved 31,782 acres on 228 farms. Farmers may apply to DOAG, which evaluates applications according to regulatory criteria. The program's primary goal is to preserve farmland containing a high percentage of prime farmland soils in established farm communities.

Charter Oak Open Space Grant Program

By law, in addition to the Open Space and Watershed Land Acquisition Grant Program, DEP can provide matching grants under the Charter Oak Open Space Grant Program to nonprofit land conservation organizations and municipalities to acquire land or permanent interests in land (such as development rights). But this program has not been funded in several years.