



2021 Connecticut Legislative Wrap Up

Special thanks to Working Lands Alliance

CIA Funding

The [Community Investment Act](#), or CIA, remains intact. As a result of the COVID-19 pandemic and the increased demand for real estate, we anticipate we an increase in CIA funds in the state. At the beginning of the session, the CIA Coalition worked collaboratively to send a [letter](#) to Governor Lamont and his staff highlighting CIA's importance for communities across the state. The CIA Coalition is thrilled that Governor Lamont and the CT State Legislature kept the CIA budget intact.

The 2022 CT State Budget

As a result of the COVID-19 pandemic, the state of Connecticut received over [\\$2.8 billion](#) in American Rescue Plan funding from the United States Department of Treasury. The American Rescue Plan or ARPA was the third COVID-relief package passed by Congress, and the second to include funding for State Governments. In April, Governor Lamont released [Connecticut's Plan for American Rescue Plan Act 2021](#) that outlines how the state should allocate this one-time funding.

The Governor's plan for APRA fund allocation included \$3 million towards the development of a Food Infrastructure Grant Program. If passed, this program would incentivize the creation and expansion of commercial kitchens and processing capacity at three or four operations across the state. These investments would increase the capacity to extend the shelf life of raw produce through light processing procedures like chopping, cutting, blanching, freezing, and canning. Awards will support both urban and rural economies through jobs at the facilities and the expansion of economic opportunities for farm products. This program was not included in [the final plan](#) that passed the CT State Legislature.

Included in the CT General Assembly's plan for APRA funding was a one-time \$250,000 allocation for the CT Department of Agriculture to administer a CT Grown for CT Kids grant program. This grant program will connect K-12 students with local foods and expand local food access to historically disconnected school districts. The program will also create additional market opportunities to CT producers to sell their products. The Implementer part of the States Budget did not pass during the regular session and is expected to be voted on as part of a special session that will happen later this spring/ early summer. Working Lands Alliance was proud to be a member of the [CT Farm to School Collaborative's](#) Resource and Funding Team that worked on the policy to pass this important legislation.

Bonding

Current bonding balances will continue to provide ample funding for the Farmland Preservation Program through FY 2022 and FY 2023. WLA will seek new bond authorizations for the program during the next budgetary session.

Farmland Protection

We saw a small win for the Community Farms Preservation Program this session. [H.B. 6577](#): An Act Concerning the State Properties Review Board threatened to add the State Properties Review Board as an additional step to the already thorough Community Farms Preservation Program application process, making it more difficult for farmers to access land tenure. This Community Farms Preservation Program is the program the state uses to protect small farms or the last farm in town from development.

Farmland Preservation projects that go through the Community Farms Preservation Program complete many vigorous steps that ensure the state is adequately spending funds on a farm that has agriculture viability. The program is vetted by state, federal, and local officials who understand the complex process of evaluating the development rights on agricultural lands. Currently, it is one of the few mechanisms the state has to create affordable land access opportunities for new and beginning farmers who often seek small plots of land to farm. As the cost of land continues to rise in Connecticut, having systems in place that protect prime farmland and provide resources to emerging farmers is crucial. Adding a State Properties Review Board would add an unnecessary step to this process, making it more difficult to protect small farms and promote land access opportunities.

Soil Health Legislation

In alignment with the [Governor Council on Climate Change Phase 1 Report](#), Working Lands Alliance and other members of the GC3 Ag. and Soils Working Group advocated for a statute change to the CT Soil and Water Conservation Districts.

[H.B. 6496](#)— An Act Concerning Soil-Related Initiative, updated the Soil and Water Conservation District statute to include soil health. This legislation is an important step towards developing a soil health program that will help farmers across the state implement better soil health practices and thus combat climate change. This statute change recognizes that soil health and watershed health are intrinsically linked and that soils across all landscapes are important to CT's ecosystem. Soil health is important to protect our water resources and food production systems.

WLA was excited to see this statute update passed the legislature this session. We look forward to working on the development of a statewide soil health program in subsequent legislative sessions.

Climate Change Legislation

In addition to the state updating the Soil and Water Conservation Districts statute to include Soil Health, WLA was thrilled to support [H.B. 6441](#) — An Act Concerning Climate Change Adaptation. This bill was a small win for our agricultural producers, as it sets up an “Environmental Infrastructure Fund” within CT's [Regional Greenhouse Gas Initiative or RGGI](#). The Environmental Infrastructure fund can be used for the following purposes:

“Environmental infrastructure” means structures, facilities, systems, services, and improvement projects related to (A) water, (B) waste and recycling, (C) climate adaptation and resiliency, (D) agriculture, (E) land conservation, (F) parks and recreation, and (G) environmental markets, including, but not limited to, carbon offsets and ecosystem services.”

The new Environmental Infrastructure Fund can receive federal funds that become available for states to implement natural climate solutions which include agriculture. We look forward to working with

RGGI, The Department of Agriculture, and the Department of Energy and Environmental Protection to configure how this grant program will be structured to benefit CT's agricultural producers.

There's Always Next Year...

Our advocacy efforts in 2021 proved to be fruitful, however, our work is far from over. Not all of the provisions and policies that we fought for this session passed.

Creating Farmland Access Opportunities For Young And Beginning Farmers

Senator Rick Lopes from the 6th District introduced [S.B. 471](#) — An Act Concerning Funding for the Purchase of Agricultural Real Estate by the State. This legislation proposed to increase the amount of funds that the CT Department of Agriculture can use on Buy-Protect-Sell projects from \$1 million to \$3 million annually. Prior to the COVID-19 pandemic, CT had some of the highest-priced farmland per acre in the country (third to Rhode Island and New Jersey). The pandemic has put additional pressure on CT's real estate as more individuals from New York and other metropolitan areas are choosing to make CT home. [See June 3, 2021 CT Post Article.](#)

Working Lands Alliance is committed to working on farmland access policies that address the affordability and accessibility of CT's farms for the next generation of producers, especially for emerging, young, beginning, Black, Indigenous, and other farmers of color. Stay tuned for more updates as to how WLA is working on addressing farmland access across the state.

Tax Exemptions For Farmers Who Sell Their Development Rights

WLA worked with Senator Eric Berthel on [S.B. 153](#) – An Act Exempting from the Personal Income Tax Proceeds from the Sale of Agricultural Land Development Rights to the State. This legislation would have encouraged farmers to sell their development rights using the personal income tax exemption, allowing them to preserve liquidity from the sale to reinvest in the farm or pay down debt. Both of which are key to the continued growth of a strong and vibrant agriculture industry.

By taxing landowners on the proceeds of the sale of an agricultural conservation easement, the current state tax code discourages farmers who want to protect their land in perpetuity. It also impacts state and local investments in farmland protection and the amount of farmland that is affordable for beginning farmers.

Solar Siting On Farmland Policies and Regulations

Representative Maria Horn and other members of the CT General Assembly Environment Committee introduced [H.B. 6498](#) — An Act Concerning the Siting of Certain Solar Facilities on Farmland and Core Forest. If passed, this legislation would have created more checks and balances in how and where solar development is sited on farmland and core forest.

H.B. 6498 included three provisions:

- Implementing a lowered review threshold of projects that need approval by CT Siting Council from 2 MW projects to 1 MW project, and an additional review requirements of 65 MW for projects not approved in such manner.

- Requiring that solar developers pay into a decommissioning bond to ensure that landowners are protected if/when the solar technology becomes obsolete.
- Calls for more transparency as to what projects are being reviewed by CT DEEP and CT DoAg, that will impact prime farmland and core forestlands.

Connecticut's working lands are at the heart of the food system. As such, we must be thoughtful and deliberate in how and where we site solar arrays. Acadia Center's Energy Vision 2030 projects that, in order to meet 2030 renewable energy targets, the state of CT will need to increase solar generation capacity to more than 4 GW. This includes almost 2 GW of installed ground-mounted solar, potentially impacting more than 10,000 acres of land. Unless the Connecticut General Assembly passes legislation to disincentive large-scale solar arrays on the state's prime and important farmland and core forest the acceleration of large-scale solar arrays on farmland and forests will continue to directly and irreparably undermine the state's efforts to protect farmland and forest with conservation easements that keep the state's agricultural sector viable.

Connecticut's farmland and core forest are a part of CT's green infrastructure and are critical elements of the state's efforts to address climate change. This new pressure of solar development on farmland and core forest compounds the severe "competition for land" in the state, underpinning the need to increase oversight of solar energy projects that impact our state's most precious natural resources. It should also be recognized that many of the developable parcels are not owned by farmers and are in jeopardy of being leased/sold to solar developers rather than to local agricultural producers. This can have negative consequences for land access and farm viability.

Unfortunately, this bill did not pass out of the Environment Committee this session. However, there was general consensus that the state must conduct a stakeholder process to improve the transparency, predictability, and efficiency of solar siting and permitting in Connecticut.

WLA is pleased to see that DEEP will be convening a kick-off meeting to support this stakeholder process **Wednesday, June 16th, 2021 from 10 am to 12:30 pm**. Information about the meeting can be found [here](#).

We strongly support convening a stakeholder group that includes representatives of the environmental community who understand the extent and value of the multitude of ecosystem services provided by working and natural lands in Connecticut. We strongly recommend that the full reports generated by the GC3 Working and Natural Lands subgroups be utilized to inform this process. Prior efforts have relied on amending the Siting Council process, but any recommended policy/guidance needs to address the process prior to the submission of any permit application.

A Local Option Municipal Open Space and Working Lands Funding Mechanism

This important provision, which was included in the Governor's Council on Climate Change Phase 1 report would allow (but not require) towns and municipalities to establish a dedicated fund to acquire, preserve, and steward open space and farmland at the municipal level by including a limited buyers conveyance fee program. WLA was pleased to see this provision included in Sec. 3 of [H.B. 6441](#) — An Act Concerning Climate Change Adaptation.

This provision would have enabled towns to prioritize and invest in farmland that the local community and experts have identified as most important to contributing to the state's efforts to become resilient in the face of climate change. CT's farms are part of CT's green infrastructure that can recharge groundwater, prevent flooding, and mitigate emission; through soil carbon capture, among many other practices that can combat climate change.

Unfortunately, the provision in Sec.3 of **H.B. 6441** was removed before the bill was passed by the CT State legislature.