



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



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PHONE: 860-424-3001

Daniel C. Esty
Commissioner

June 7, 2011

Representative Richard Roy
House Democrats Office
LOB, Room 3201
Hartford, CT 06106

Senator Andrew Roraback
LOB
Room 3400
Hartford, CT 06106

Representative Clark Chapin
House Republican Office
LOB, Room 4200
Hartford, CT 06106

Dear Representative Roy, Representative Chapin, and Senator Roraback:

Thank you for your letter dated June 6, 2011. In that letter, you requested that I give my opinion regarding the legal propriety of the proposed exchange of seventeen acres of DEP owned land in Haddam for eighty-seven acres of privately owned land in Haddam. As the Commissioner of DEP, I am not authorized to offer such opinions. According to Conn. Gen. Stat. § 3-125, only the Attorney General may render formal legal opinions at the request of the Legislature.

Given the twenty-four hour turnaround requested in your letter, I am unable to provide you with guidance on the financial and environmental propriety of the proposed exchange of land. Evaluation of these issues would require a detailed investigation and analysis of a number of competing factors, as there are compelling arguments to be made on both sides. This process cannot be done properly in the time allotted. Ultimately, however, the proposal is a legislative and policy discussion that is subject to the discretion of legislators who reflect the priorities of their constituents.

Yours truly,

Daniel C. Esty
Commissioner