



ENVIRONMENT COUNCIL OF RHODE ISLAND EDUCATION FUND

March 3, 2022

Representative Robert Craven
Chair, House Committee on Judiciary
Rhode Island State House
Providence, RI 02908

Dear Chair Craven,

I write on behalf of the Environment Council of Rhode Island (ECRI), a Coalition of over sixty organizations, and even more individual members, who are all committed protecting Rhode Island's environment, natural resources, and communities. Our organizations represent more than 50,000 Rhode Islanders. **We respectfully request that the House Committee on Judiciary support H7455**, which would amend our existing conservation easement legislation to ensure liberal interpretation of the conservation restrictions. We thank you for sponsoring this important legislation.

ECRI has been a long time protector of Rhode Island's open spaces, which are important not just for our wildlife and ecosystems, but also to provide Rhode Islanders with clean air and water, recreational spaces, and natural heritage. We need protected public land to continue to provide these values; as such, private entities, the State and federal government, and several of our member organizations—including Audubon Society, the Nature Conservancy, and land trusts pay for *conservation easements*.

Conservation easements are restrictions from development that protect this land into perpetuity. Landowners have spent millions on easements to ensure that their land is protected. Unfortunately, when properties with easements change hands, we have seen—in other states—that the new property owners challenge the easements in courts. Occasionally, judges in other states favor the property owner, which is against the intent of the conservation restriction and the original landowner who paid for the conservation easement. This amendment to our conservation easement enabling legislation adds a "liberal interpretation" clause to protect the conservation easement. The language used is already written into most conservation easements. It will ensure that our easement law remains strong going forward.

Thank you for supporting this important legislation.

Sincerely,

Kai Salem
ECRI VP of Policy

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