



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

**STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

Public Hearing – March 8, 2013
Environment Committee

Testimony Submitted by Commissioner Daniel C. Esty
Presented By Deputy Commissioner Macky McCleary

Raised House Bill No. 6538 – AN ACT CONCERNING ARBORISTS AND TREE WARDENS

Thank you for the opportunity to present testimony regarding Raised House Bill No. – AAC Arborists And Tree Wardens. The Department of Energy and Environmental Protection (DEEP) offers the following testimony.

We appreciate the Committee's willingness to raise this bill at the request of the DEEP. This proposal, which we strongly support, would harmonize arborist requirements with pesticide applicator requirements, reducing administrative costs for both DEEP and the regulated community. It would also increase accountability for licensed arborists by requiring them to register their businesses.

Arborists

The bill would eliminate double fees for those individuals who hold both a pesticide certification and an arborist license. Currently pesticide certification is offered in many categories, but arborist licenses are considered separate. While the arborist license does allow pesticide application, many arborists also do work in other categories, such as lawn and shrub care or rights-of-way application.

Both the arborist and pesticide programs are administered by the pesticide management program at DEEP, and harmonizing the fees and requirements would aid in processing applications. The bill would also add a business registration requirement for companies engaged in non-pesticide arboriculture. At present, only individual arborists are regulated, not businesses. A business registration requirement would greatly aid in tracking unlicensed companies and provide more consumer protection and allowing the DEEP to respond to public inquiries about arborist companies and make inspections and complaint follow-up more efficient. Currently, DEEP only knows of the licensed individual and cannot readily determine if an arborist business has an associated licensed arborist.

The bill would improve environmental protection by helping DEEP better address and respond to public complaints and concerns about arborist operations if we can locate the businesses.

Most states do not have arborist licensing except when pesticides are used. Connecticut, however, has had a strong law since the 1920's. Federal law requires certification of pesticide applicators, but does not touch upon tree work that does not involve pesticides.

The regulated community is very interested in DEEP finding and taking enforcement action against unlicensed arborists. The financial impact will be minimal. While there will be a business registration fee, this will be offset in many cases by the elimination of double fees when individuals hold both an arborist license and a pesticide certification.

Tree Wardens

Regarding the required course work and record keeping of tree wardens - DEEP supports formalizing a process to ensure tree wardens are qualified to perform their duties. For approximately 15 years a similar voluntary qualification program has been successfully administered by the Tree Warden's Association of Connecticut, Inc., a nonprofit organization dedicated to educating tree wardens and others about tree warden's roles and responsibilities. The Commissioner supports the State Vegetation Management Task Force recommendation that all tree wardens demonstrate these qualifications through successfully completing coursework within one year of being appointed by a municipality. Recent storms have demonstrated public tree care as a critical component of Connecticut's cities and towns green infrastructure.

We request that the committee review a drafting change that we suggest for the bill. In section 8 line 226 remove the term [agricultural] and replace it with the term arboricultural. The purpose of this change is to make subsection (g) internally consistent.

In conclusion, this bill would ease the administrative burden on DEEP and businesses and would allow for better response to public complaints and inquiries.

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact DEEP's legislative liaison, Robert LaFrance at 860-424-3401 or Robert.LaFrance@ct.gov.