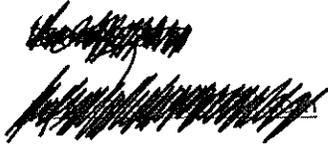


Robin Arcarese

Bozrah, CT. 06334

Handwritten signature and scribbles, likely representing the author's name and contact information.

SB 1016 – An Act Regulating the Planting  
And Sale of Running Bamboo  
PHYLLOSTACHYS AUREOSULCATA  
(Yellow Groove Bamboo)

SB 1016

I am here today to support an act that regulates the planting, sale and assigns "strict liability" for those who allow *Phyllostachys aureosulcata* to trespass, invade, and, or causing damage to adjoining properties. The most important aspect of this bill would be to assign "strict liability" to the owner of the original site in which the *Phyllostachys aureosulcata* has been planted. "Strict liability" to remove, and restore trespassed property to its condition before the trespass occurred.

*Phyllostachys aureosulcata* is a living plant organism that invades, trespasses, and causes damage mostly unseen through its underground rhizome system. This underground rhizome system is double, triple and sometimes even larger than the above ground culms. In my case, where it grew not only into my yard, but cracking and growing under a cement walkway, up through my siding and out of my roof. This grove of *Phyllostachys aureosulcata* stood 35 feet tall, 15 feet long and 5 feet wide above ground. Underground it covered 45 feet by 75 feet when it was dug up and removed. My husband and I have years of diligence and unnecessary stress ahead of us digging up rogue rhizomes and culms before we can say it is eradicated.

Although my neighbors paid to have it removed from their property they refuse to pay for the damage to my house, walkway and the monies we spent to have it removed from our property. Where is the justice in that? Our neighbors have the right to grow and watch us dig up THEIR bamboo that has trespassed and is causing damage. We have no real recourse without a law assigning "strict liability" to the responsible party or parties. Each new year of growth from *Phyllostachys aureosulcata* is a new trespass, thus making the trespass continual until eradication.

I want to thank my State Representative Kevin Ryan, State Senator Andrea Stillman for their time and effort with this matter. I also thank the town of Bozrah, CT. for hearing, researching and actually drafting and passing a bamboo ordinance.

Testimony Submitted Respectfully,

A handwritten signature in cursive script that reads "Robin Arcarese".

Robin Arcarese

## Points of interest for SB 1016

Adding the words "STRICT LIABILITY" to the title of SB 1016- assigning liability was a recommendation from the Invasive Plant Council

When *Phyllostachys aureosulcata* has spread- to State Department of Transportation property the state comes in to remove all of the bamboo at the expense of property owner of ORIGIN, if known. As *Phyllostachys aureosulcata* does travel at first unseen, infecting indigenous plant life from property to property.

Proper disposal- in my case it was trucked to an incinerator where it was separated and burned.

NO GRANDFATHERING- can be stated as, even if said bamboo existed before the date of this bill. As *Phyllostachys aureosulcata* is a living plant organism that grows unseen under the ground, it may be too late to have any legal recourse against those that the bamboo has traveled from.

Statute of limitations- maximum for property damage liability in the state of Connecticut is three years. Three years with *Phyllostachys Aureosulcata* doesn't make sense as it is a continual growth, continual living plant invasion each year until eradicated. The older the bamboo the longer it takes to eradicate.

Robin Arcarese









New growth  
after 2 weeks  
of treatment  
w/ Round-up

