

**City of New Haven**  
**Toni N. Harp – Mayor**



*Testimony Regarding*  
**HB 5408 – AN ACT CONCERNING TREE TRIMMING**  
*Submitted by*  
**Rebecca Bombero, Acting Director Parks, Recreation and Trees**  
**& Christy Hass, Deputy Director & Tree Warden**  
March 4, 2014

Sen. Duff, Rep. Reed, members of the committee. Thank you for the opportunity to comment on HB 5408, An Act Concerning Tree Trimming, which we see as a good first step in recognizing some of the challenges created out of PA 13-298.

Our urban canopy is an important resource that reduces cooling costs, reduces storm water runoff, helps the environment filtering greenhouse gasses, and brings beauty to our streets. Public Act 13-298 amended the statutes as they relate to public utilities and the removal of trees. For those of us in the UI territory, we know that this has translated into the “Enhanced Tree Trimming (ETT) Program” which has sparked considerable concern within our community.

We as a city also have multiple concerns. First, PA 13-298 moved the appeals process of a Tree Warden’s decision from Superior Court to PURA for utility trimming. The proposed legislation begins to address this by clarifying that the burden of proof exists with the utility at such hearing, which is a good first step, but must go further to define what PURA must consider as a standard in balancing utility service with environmental, health and community concerns. Second, while the new legislation defines hazard trees, the proposed UI ETT Program does not include the consideration of the health of a tree in its pruning/clearing proposals. The utility intends to propose the removal of all trees within 8 feet of a utility wire – essentially more than fifty percent of all the trees in the tree belt in New Haven over the next eight years. Moreover, the ETT proposal does not include a plan for the replacement of trees, or the removal of stumps which will present a considerable financial burden upon each municipality as we work to preserve and protect our environment.

We have had an introductory meeting with UI surrounding this and other infrastructure projects scheduled for this year. From our initial meeting we understand that UI is still in the planning process, and as you may be aware, a decision on the PURA docket 12-01-10 which will frame this policy has again been delayed, and PURA will hold additional hearings this Thursday. Even without all the details, the City has historically, and will

continue to engage with UI in the review and documentation of trees prior to the decisions for removal. As has been the case with infrastructure projects in the past, the city personnel will walk every circuit that is scheduled for work to identify the trees that UI is interested in targeting for trimming and removal within the tree belt. An initial determination will be made for which trees that the Tree Warden will permit to be trimmed and or removed. The Tree Warden will approach this process with the goal of removing dead, diseased or hazardous trees and protecting healthy trees and the overall urban canopy. No tree will ever be removed without proper notification of residents through postings and due process and review through the Tree Warden hearing process.

We are concerned based on initial conversations that UI will appeal all of these decisions creating a significant administrative burden for both the City and PURA without legislation further clarifying the policy as it relates to unhealthy trees.

This program will represent a significant expense for the City – an expense not contemplated in the legislation or UI ETT Program proposal. While HB 5408 begins to address some of these concerns, we urge you to consider further refining the statute to clarify requirements on process, and add additional removal and replacement requirements that follow the “right tree, right place” policy that the City has utilized for over five years.

We will continue to work to stress the importance of a healthy urban canopy, and thank you for your time and consideration.