



**Testimony of Connecticut Fund for the Environment
Before the Committee on Environment**

In support of

H.B. No. 5150, AN ACT CONCERNING TREE WARDENS' NOTICES ON TREES AND SHRUBS PRIOR TO REMOVAL, TREE REMOVAL ALONG STATE HIGHWAYS AND CLEAN-UP BY PUBLIC UTILITY CORPORATIONS FOLLOWING CERTAIN TREE REMOVAL

Submitted by Shannon Laun
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Connecticut Fund for the Environment (CFE) is a non-profit environmental organization with over 5,500 members statewide. The mission of CFE, and its bi-state program Save the Sound, is to protect and improve the land, air, and water of Connecticut and Long Island Sound. We use legal and scientific expertise and bring people together to achieve results that benefit our environment for current and future generations.

Dear Senator Kennedy, Representative Albis, and members of the Committee on Environment:

Connecticut Fund for the Environment (CFE) submits this testimony in support of Proposed H.B. No. 5150, An Act Concerning Tree Wardens' Notices on Trees and Shrubs Prior to Removal, Tree Removal Along State Highways and Clean-up by Public Utility Corporations Following Certain Tree Removal. The proposed bill would strengthen existing law by clarifying requirements to post notice on trees or shrubs before they are pruned or removed, and require a public hearing to be held if any objections are made to the proposed pruning or removal. These changes would ensure that citizens are aware of planned cutting and provide an opportunity for objections to be made. The bill would also require the Connecticut Department of Transportation to report on their tree cutting activities and to consider the aesthetic and environmental impacts of tree cutting along state highways. These impacts are not currently taken into account, which may result in beneficial trees being needlessly cut down. Finally, the bill would require electric utility companies to clean up any debris that remains after they prune or remove trees. Utilities should be responsible for removing such debris so the costs of removing it are not externalized and do not become the responsibility of other entities, such as cities or towns.

CFE has received numerous inquiries from citizens around the state who are concerned about tree cutting in their towns and along state highways. In these conversations, and in many editorials and comments from around the state, citizens have expressed shock and outrage at the extent of the tree cutting, and many feel that there is a lack of transparency around highway tree cutting in particular. CFE agrees that better tree-cutting policies and increased transparency are

needed. Over the past several years, CFE and a coalition of concerned organizations and citizens have come together to support municipalities and their investments in community character and quality of life benefits. We have worked to educate towns and citizens about utility tree cutting plans and their rights, discussed best practices to ensure the retention of healthy and structurally sound trees, and developed legal and educational tools to help protect communities.

The proposed bill would clarify existing law by more clearly requiring tree wardens to post a notice on each tree, shrub, or group of shrubs at least ten days prior to any pruning or removal for which a permit has been requested by a third party, such as a utility, other corporation, or individual. It would also reduce the burden on tree wardens by enabling them to post pruning or removal notices on groups of shrubs rather than individual shrubs, and allowing them to post only those shrubs that may have environmental or aesthetic benefits. Requiring notice to be posted on all trees or shrubs slated for cutting, regardless of who is doing the cutting, will ensure citizens and other stakeholders are aware of the proposed tree or shrub cutting and have an opportunity to object. Current law provides that the tree warden must hold a public hearing following an objection to proposed pruning or removal, thus ensuring due process requirements are met before trees are pruned or removed.

The proposed bill would also require the State Department of Transportation (DOT) to report to this Committee on planned tree cutting activities along state highways sixty days in advance. The report must include analysis of likely environmental and aesthetic impacts of the proposed tree cutting. In addition, the bill would require DOT to report to the Committee at least every three months on trees it has removed and the likely environmental and aesthetic impacts stemming from this removal. DOT would not, however, be required to report on the removal of trees or groups of trees if they pose an immediate public hazard. These provisions are necessary because DOT currently does not consider any environmental and aesthetic impacts associated with its tree cutting activities—an approach that may result in needless removal of beneficial trees that do not threaten public safety. The proposed bill would require DOT to take a more comprehensive look at its tree cutting policy, encouraging the agency to take a more selective and nuanced approach.

Finally, the proposed bill would amend existing law by adding a requirement that electric utilities remove any debris resulting from tree pruning or removal. This commonsense approach would ensure that leftover debris, which can be unsightly or become a nuisance to neighboring property owners, is removed after tree cutting activities are completed. If electric utilities do not provide for the removal of such debris, municipalities or other landowners may be obligated to remove the debris at their own expense. The proposed bill would solve this problem by ensuring that utilities clean up the debris themselves and cannot externalize the cost of debris removal.

In conclusion, Connecticut Fund for the Environment supports proposed bill H.B. 5150 as a pragmatic, well-reasoned approach ensuring that our state's healthy trees are not trimmed or removed unnecessarily, providing public notice and opportunities for citizens to weigh in on proposed tree cutting, and ensuring that the environmental and aesthetic benefits of roadside trees are considered before removal.

Thank you for your time and consideration in this matter.

Respectfully submitted,

/s/ Shannon Laun

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