



Connecting people to the land since 1895

16 Meriden Road
Rockfall
Connecticut 06481-2961
Tele: 860-346-TREE
www.ctwoodlands.org

Testimony of Eric Hammerling, Executive Director, Connecticut Forest & Park Association

Public Hearing Subject Matter	Position
Committee Bill 5655: AAC A PROPERTY OWNER'S LIABILITY FOR THE EXPENSES OF REMOVING A FALLEN TREE OR LIMB.	Support

The Connecticut Forest & Park Association (CFPA) is the first conservation organization established in Connecticut in 1895. For over 120 years, CFPA has offered testimony before the General Assembly on various sustainable forestry, State Park and Forest, trail recreation, and land conservation issues.

I am testifying today to express CFPA's support of Committee Bill 5655, "An Act Concerning a Property Owner's Liability for the Expenses of Removing a Fallen Tree or Limb." I want to thank the Committee and in particular recognize Ranking Member Rebimbas as well as Representative Camillo for their work to improve this bill over the past few years.

CFPA had opposed this bill in the past due to prior concerns that this bill could result in the premature removal of healthy trees in communities, and that it could add unnecessary liability to land specifically acquired and protected for its natural resource values (for example, fee land or easements owned by water companies or land trusts, or land enrolled in the Public Act 490 program). The authors of this bill deserve a lot of credit for working with CFPA and others to exempt conservation lands and unavoidable situations like Acts of God, to utilize CT licensed arborists in determining tree health, and to focus on the primary rationale for this legislation which is to help settle disputes between neighboring private landowners over the removal costs of trees and/or branches that fall between their properties.

We believe that this bill has been carefully crafted to not unintentionally encourage the removal of healthy private trees or tip the balance against land trust properties or those with easements held by land trusts, water company lands where trees serve as important water quality buffers, or lands enrolled in the P.A.490 program that are intended to protect trees. We are glad that this bill would rely upon professional arborists to determine tree health, and includes a time element with their professional determination to ensure there is appropriate urgency rather than a sense of open-ended liability for private landowners.

We encourage the Committee to support this bill, and thank you for the opportunity to testify.