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Testimony in Support of HB 5312:
An Act Concerning Vegetation Management Within Utility Protection Zones

Dear Co-Chair, Rep. Mike Demicco,
Co-Chair, Sen. Christine Cohen,
Ranking Member, Rep. Stephen Harding and
Ranking Member, Sen. Craig Miner,

I am writing today as private citizen and as Vice Chair of the Hamden Energy Use and Climate Change Commission in favor of HB 5312, concerning vegetation management in the UPZ.

Mr. David Goodson, Vegetation Manager at United Illuminating attended a meeting of the Hamden Alliance for Trees in the summer of 2018. At that meeting, Mr. Goodson stated that if UI was able to dictate management of the UPZ without any input from homeowners, towns, or state regulation, that United Illuminating would remove all vegetation at ground level from eight feet on either side of its utility poles. In other words, in a town like Hamden, no vegetation would be allowed on the side of the street that carries power lines in an eight-foot setback from the pole, all the way down the line—that means no shrubs and definitely not any trees of any variety.

It is therefore crystal clear that the interests of the Utility, and the interests of towns and town residents are lie in polar opposition when it comes to vegetation management. The residential neighborhoods of the town of Hamden are desirable properties, and maintain their property value even in the face of exceptionally high property taxes in part because of the established tree canopy in those neighborhoods.

And yet, United Illuminating would remove all trees from one side of every residential street if it had its way. As it is, UI has used obfuscation, delay, and predatory practices to carry out its intended results in the town of Hamden. It is imperative that towns and residents have adequate tools to be able to protect their street trees and the street tree canopy in their towns. I therefore support the following components of the proposed legislation:
1. **Towns must be notified at least 2 weeks before work is scheduled to be performed.** (lines 55-59) This gives the towns time to evaluate the tree(s) in advance and speak to property owners. Until such time that the state of Connecticut requires that all Tree Wardens be licensed arborists themselves, it is imperative that towns have the ability to bring in licensed consulting arborists to evaluate trees scheduled for trimming or removal. The added time is the responsibility of the Utility, and utility practices should be improved and streamlined so that they are able to give timely notice to towns. The town and its residents are paying directly for tree trimming services through increased electricity rates. We should be entitled to timely notice of proposed activities just like any other customer.

2. **Adjacent Property Owners should receive a tear-off satisfaction survey** that can be returned to the Public Utilities Regulatory (lines 68-71). I would remind you that town residents *pay* for UI to conduct its trimming practices in our towns. As customers, we should have the right to have the work of the utility evaluated by a regulatory body such as PURA, and that these survey results should be made available to the environment committee upon request. I am sure that the Hamden Tree Commission would be more than willing to devise such a survey for United Illuminating to include in the materials given to adjacent property owners both before and after work is performed in our town.

3. If the **property owner objects** to the proposed trimming or an on-property, or property adjacent tree, the property owner should be able to **request a consultation with the tree warden, an arborist designated by the municipality,** or the Commissioner of Transportation, as appropriate, (lines 79-81). Though many property owners care about their trees, not many of them can be expected to be licensed arborists. UI and its contractors take the position of telling the homeowner what *will* be done according to their own best interest (with the above noted preference for complete removal) rather than what may be the interest of the resident, or the neighbors, or the town as a whole. Citizens should have the right to have a qualified arborist assess the proposed work so as to ensure that the tree will be trimmed in such a way that it can survive and thrive.

4. **The abutting property owner has the right to be present** when the work is being done but they must contact the utility or utility’s subcontractor at the provided contact telephone number to arrange to be present (lines 81-85). I believe that onus of performing work while the homeowner is present should fall on the utility. A check box should be added to the door hangar for the property owner to check off (including their email and telephone number), to notify the electric company that they wanted to be present when the work was performed. From that point, the utility or the subcontractor should be tasked with coordinating the work with the homeowner.

5. Considering the above stated preference of the utility to clear-cut to ground level all trees and tall shrubs in the UPZ, it should go without saying that the **property owner should have the right have an arborist evaluate the pruning or removal to be performed.** In such case, the utility must of course provide all plans, records and information so the evaluation can take place in a timely fashion (lines 93-96). Until such time that all Connecticut Tree Wardens are required to be licensed arborists, this is the only acceptable way for citizens to have a qualified assessment of the proposed work.
6. It should be no great hardship for the property owner to be notified when the work is completed (lines 107-109). This is valuable information to all who are having work done but especially important to property owners who arranged to be present during the work.

As a property owner in the town of Hamden who understands the role of the urban tree canopy in adding to property value, cleaning the air, sequestering carbon, and removing stormwater runoff from town systems, I urge you to support HB 5312.

With Warm Regards,

Christina Crowder