Bill No.: HB-5308
Title: AN ACT CONCERNING VEGETATION MANAGEMENT ALONG STATE HIGHWAYS BY THE DEPARTMENT OF TRANSPORTATION.
Vote Date: 2/25/2019
Vote Action: Joint Favorable
PH Date: 2/15/2019
File No.: 50

Disclaimer: The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.

SPONSORS OF BILL:

Rep. Travis Simms, 140th Dist.

REASONS FOR BILL:

Connecticut residents, community groups, and local municipalities have been concerned of sudden and indiscriminant removal of trees along state highways. These groups advocate for planned removal of hazardous trees rather than the removal of all trees within specific geographical zones. The bill seeks to remedy such concerns by requiring the Connecticut Department of Transportation to develop guidelines governing the management of vegetation and tree removal along state highways and requires that certain provisions be included in the guidelines.

RESPONSE FROM ADMINISTRATION/AGENCY:

Paul Rizzo, Bureau Chief of Highway Operations and Maintenance, Connecticut Department of Transportation (CTDOT): Opposes the bill. In 2018, CTDOT finalized Vegetation Management Guidelines that maintain an efficient and effective vegetative landscape along Connecticut’s highways. Tree removal and management help decrease the overall failure of trees and decreases the likelihood of vehicle strikes along roadways, making travel safer for highway users. In 2015 the Federal Highway Administration enacted
legislation encouraging states to integrate vegetation management practices on roadsides and other transportation rights-of-way. Furthermore, CTDOT has implemented a pilot program in accordance to Public Act 16-17 establishing several highway median and bowl areas as pollinator corridors. “The Department’s Vegetation management Guidelines were reviewed by a licensed arborist employed at CTDOT and approved by the Commissioner.” CTDOT’s Vegetation Management Guidelines can be found at: https://www.ct.gov/dot/lib/dot/documents/dmaintenance/veg_man_guidelines_final_02-15-18.pdf

NATURE AND SOURCES OF SUPPORT:

Amy Blaymore Patterson, Executive Director, Connecticut Land Conservation Council: The bill provides for review and reporting requirements with respect to tree removal and will add much needed transparency and accountability for the benefit of the public.

Patrick M. Comins, Executive Director, The Connecticut Audubon Society: Roadside forests help define the character of Connecticut and are intertwined with the health of the surrounding habitats. The Connecticut Audubon Society recommends CTDOT to (1) take into consideration the value of native species when replacing any vegetation removed by the department and (2) consider the native birds breeding season as to minimize bird mortality and direct impact to nesting birds.

Eric Hammerling, Executive Director, Connecticut Forest & Park Association (CFPA): CFPA receives many calls of concern when the CTDOT cut trees along state highways. Trees provide ecological and economic benefits, while at the same time, could be considered a public health hazard if not properly maintained. It is important to have vegetation management guidelines developed by a professional arborist to target the removal of trees that are unhealthy and poorly sited along the side of our highways. Although CTDOT has made efforts to promote pollinator habitats and maintain some trees on scenic roads, the department’s primary focus seems to be on tree removal.

Wes Haynes, Executive Director, Merritt Parkway Conservancy: The recent focus of the CTDOT has been on the remediation of widespread overgrowth resulting from long deferred tree care. Although the CTDOT prepared the Vegetation Management Guidelines in 2018, standardizing remedial and routine tree care, mowing, and pesticide applications do not represent best vegetation management practices recommended by the Federal Highway Administration (FHA). CTDOT guidelines should be consistent with the concepts of Integrated Roadside Vegetation Management recommended by the FHA.

JoAnn Messina, Executive Director, Greenwich Tree Conservancy: Although in support of the bill, the Greenwich Tree Conservancy recommends including language that would allow for public information to be published on the department’s website as to where the CTDOT is planning their vegetation management and how much the state is funding CTDOT’s work. Additionally, the Greenwich Tree Conservancy shared concern that the bill as drafted does not focus on the impact of roadside forests to the eco-system and climate change mitigation. Finally, the Greenwich Tree Conservancy recommends CTDOT take into consideration the University of Connecticut’s Stormwise program, developed for managing trees along roadways, when developing vegetation management guidelines.
The Environment Committee received in excess of 20 additional similar testimonies supporting the bill. Connecticut roadside forestry is important to the state’s eco-system. Connecticut is losing great number of trees due to CTDOT indiscriminant cutting of trees along state highways.

**NATURE AND SOURCES OF OPPOSITION:**

**Arthur Marcelynas:** According to the data presented by the Governor’s Two Storm Panel in 2011, Connecticut has one of the most dense tree canopies in the United States CTDOT should not be restricted in its efforts to remove trees alongside roadways. In December of 2011 CTDOT Commissioner James Redeker testified about the process that is used to manage roadside trees. This bill addresses new guidelines but current processes should be examined first to determine its effectiveness.

**Worthley Thomas, Associate Extension Professor for Forest Resources, University of Connecticut:** While supportive of the concept of the bill, such legislation can be a burden if crafted to simply subject the CTDOT to guidelines with straight oversight and reporting requirements. The bill should be re-framed with a long term goal to grow healthy, attractive, roadside forests. Furthermore, legislation in regards to roadside vegetation management must also consider serious tree-related public safety issues highlighted by recent storms. The University of Connecticut, through Eversource Energy Center and the Connecticut Agricultural Experiment Station, and the Department of Energy and Environmental Protection are researching and demonstrating techniques to manage roadside forest for health and storm resistance, the program is known as Stormwise.

Reported by: Pamela Bianca / Ussawin R. Bumpen   Date: 3/14/2019