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

Public Hearing Subject Matter	Position
<b>Raised HB 5116:</b> AN ACT REQUIRING THE CREATION OF UTILITY COMPANY TREEPLANTING FUNDS.	Support with suggested additions
<b>Raised SB 10:</b> AN ACT CONCERNING CLIMATE CHANGE MITIGATION.	Support with suggested additions

The Connecticut Forest & Park Association (CFPA) is the first nonprofit conservation organization established in Connecticut in 1895. For over 127 years, CFPA has offered testimony before the General Assembly on various State Park and Forest, trail recreation, sustainable forestry, and land conservation issues.

**HB 5116**

For many years, the focus of vegetation management by utility companies has been on pruning and removal of trees, and yet, the communities where utilities are managed have an equal interest in the planting and tending of trees for our future forest. This recognizes the importance of replanting, especially in areas that have experienced recent removals.

Over the past decade, I have served as Chair of the State Vegetation Management Task Force, Chair of the Forests Subgroup of the Governor’s Council on Climate Change, and Chair of the Policy on Resilient Forests for Connecticut’s Future (PRFCT Future). With that experience and years of working with both utilities and tree advocates, I offer some additional considerations that I believe would strengthen this bill.

**Section 1(c)**

- Limiting grants to \$15,000 is arbitrary and likely too low to make a significant impact (this is roughly equivalent to planting 30 trees). You could raise or remove the \$15,000 cap in consideration of section (f) which is intended to ensure that the investments in tree planting are done proportionate to the impact of removals. We understand that this cap may have been suggested to ensure funding is well-distributed amongst various communities rather than a pure financial analysis.
- Limiting grants to communities that had pruning and removals done in the past year is probably too confining. It can take time for any replantings to take place (need to determine site, proper species, resources to do work, and resources to maintain plantings over time to increase their success, etc.). It might be more appropriate to consider grants to communities where vegetation management work has occurred over the past 3 years.

**Section 1(d)**

- There are advantages and disadvantages to limiting the plantings to public land. One advantage is that it might ensure a broader public exposure to the planting and perhaps enlist more involvement by municipalities in maintaining the planted trees. At the same time, this may place the benefits of newly

planted trees far from the actual site of the neighborhood where tree removals occurred. This might be quite unsatisfying for a neighborhood that has experienced the direct loss of tree cover.

- This section of the bill might also suggest that efforts be made in awarding grants to ensure that municipalities are considering species diversity in their plantings/replantings. A typical urban forestry rule is to combine a preference for native species whenever possible with use of the “10-20-30 rule” which would limit plantings in any one area to no more than 10% of the same species of tree, no more than 20% of the same genus, and no more than 30% of the same family.<sup>1</sup>

### **Section 1(e)**

- This section forbids re-planting in the sites where trees have been removed. That would likely not be popular with the neighborhood where trees were lost. Utilities have long advocated for the concept of “right tree, right place” which would favor the replanting of trees that attain short statures when mature. This could at least provide some replacement of lost community benefits.
- It would also be helpful to add here that municipalities (who presumably would be doing the replanting) might receive support both for planting tall trees in appropriate areas (perhaps on public lands) and might be supported in the ongoing costs associated with maintaining an urban tree canopy locally. Investments to maintain the urban tree canopy is particularly important in our largest cities that typically have inadequate urban tree canopies that can support a number of community and environmental benefits.

### **Section 1(f)**

- Similar to the comment under Section 1(c), the scope of tree planting awards should be broadened from the previous year only to include grants proportionate to tree losses within the last three years.

### **Section 1(g)**

- Previous reports on utility vegetation management going back to the Governor’s Two Storm Panel Report of 2012 have suggested that utilities should contribute to the vegetation management needs of communities (e.g. tree planting) by setting aside 1.5% of electric utility annual budgets to support roadside forest plans, inventories, tree planting, and maintenance activities depending upon local needs.

## **SB 10**

We support this simple but important bill that will help Connecticut meet our goals of reducing greenhouse gas emissions. At the same time, we suggest that Connecticut should be a leader in considering working and natural lands as part of the solution in offsetting emissions by conserving lands and waters that sequester and store carbon.

Making this addition would be consistent with order #20B in [Executive Order 3-21](#) that states “DEEP shall evaluate the feasibility and reliability of monitoring and reporting on negative carbon emissions from Connecticut’s forests as part of the greenhouse gas inventory report required by the GWSA.”

On the following pages is language that could be incorporated into SB 10 to amend the Global Warming Solutions Act to accomplish this additional goal of recognizing, monitoring, and reporting on so-called “negative emissions” associated with forests, wetlands, and other working and natural lands. Thank you for the opportunity to provide testimony on these bills.

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<sup>1</sup> Santamour, F.S., 2002. Trees for urban planting: diversity, uniformity, and common sense. *Metria* 7, 57–65.

## AAC Adding Consideration of “Negative Emissions” to Global Warming Solutions Act

**Sec. 22a-200. Greenhouse gas: Definitions.** As used in sections 22a-200 to 22a-200b, inclusive, 22a-200d and 4a-67h:

(1) “Direct emissions” means emissions from sources that are owned or operated, in whole or in part, by an entity or facility, including, but not limited to, emissions from factory stacks, manufacturing processes and vents, and company owned or leased motor vehicles;

(2) “Entity” means a person, as defined in section 22a-2, that owns or operates, in whole or in part, a source of greenhouse gas emissions from a generator of electricity or a commercial or industrial site, which source may include, but not be limited to, a transportation fleet;

(3) “Facility” means a building, structure or installation located on any one or more contiguous or adjacent properties of an entity;

(4) “Greenhouse gas” means any chemical or physical substance that is emitted into the air and that the Commissioner of Energy and Environmental Protection may reasonably anticipate will cause or contribute to climate change, including, but not limited to, carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride;

(5) “Indirect emissions” means emissions associated with the consumption of purchased electricity, steam and heating or cooling by an entity or facility.

**(6) “Negative emissions” means greenhouse gases that are removed from the atmosphere through nature-based solutions such as soils, forests, wetlands, and other working or natural lands, or through negative emissions technologies.**

**Sec. 22a-200a. Reduction of greenhouse gas emissions: Mandated levels. Reports.** (a) The state shall reduce the level of emissions of greenhouse gas:

(1) Not later than January 1, 2020, to a level at least ten per cent below the level emitted in 1990;

(2) Not later than January 1, 2030, to a level at least forty-five per cent below the level emitted in 2001; and

(3) Not later than January 1, 2050, to a level at least eighty per cent below the level emitted in 2001.

(4) All of the levels referenced in this subsection shall be determined by the Commissioner of Energy and Environmental Protection.

(b) On or before January 1, 2010, and biannually thereafter, the state agencies that are members of the Governor's Steering Committee on Climate Change shall submit a report to the Secretary of the Office of Policy and Management and the Commissioner of Energy and Environmental Protection. The report shall identify existing and proposed activities and improvements to the facilities of such

agencies that are designed to meet state agency energy savings goals established by the Governor. The report shall also identify policies and regulations that could be adopted in the near future by such agencies to reduce greenhouse gas emissions in accordance with subsection (a) of this section as well as policies and regulations to increase negative emissions.

(c) Not later than January 1, 2012, and every three years thereafter, the Commissioner of Energy and Environmental Protection shall, in consultation with the Secretary of the Office of Policy and Management and the Governor's Steering Committee on Climate Change, report, in accordance with the provisions of section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to the environment, energy and transportation on the quantifiable emissions reductions achieved pursuant to subsection (a) of this section. The report shall include a schedule of proposed regulations, policies and strategies designed to achieve the limits of greenhouse gas emissions imposed by said subsection, an assessment of the latest scientific information and relevant data regarding global climate change and the status of greenhouse gas emission reduction efforts as well as efforts to increase negative emissions in other states and countries.

(d) At least one year prior to the effective date of any federally mandated greenhouse cap and trade program including greenhouse gas emissions subject to any state cap and trade requirements adopted pursuant to this section, the Commissioner of Energy and Environmental Protection and the Secretary of the Office of Policy and Management shall report, in accordance with the provisions of section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to the environment, energy and technology and transportation. Such report shall explain the differences between such federal and state requirements and shall identify any further regulatory or legislative actions needed to achieve consistency with such federal program.

**Sec. 22a-200b. Greenhouse gas emissions: Inventory, modeling scenarios, recommendations, schedule. Regulations.** (a) The Commissioner of Energy and Environmental Protection shall, with the advice and assistance of a nonprofit association organized to provide scientific, technical, analytical and policy support to the air quality and climate programs of northeastern states: (1) Not later than December 1, 2009, publish an inventory of greenhouse gas emissions to establish a baseline for such emissions for the state and publish a summary of greenhouse gas emission reduction strategies on the Department of Energy and Environmental Protection's Internet web site, (2) not later than July 1, 2010, publish results of various modeling scenarios concerning greenhouse gas emissions, including, but not limited to, an evaluation of the potential economic and environmental benefits and opportunities for economic growth based on such scenarios, (3) not later than July 1, 2011, analyze greenhouse gas emission reduction strategies and, after an opportunity for public comment, make recommendations on which such strategies will achieve the greenhouse gas emission levels specified in section 22a-200a, ~~and~~ (4) not later than July 1, 2012, and every three years thereafter, develop, with an opportunity for public comment, a schedule of recommended regulatory actions by relevant agencies, policies and other actions necessary to show reasonable further progress towards achieving the greenhouse gas emission levels specified in section 22a-200a as well as to increase negative emissions, and (5) not later than July 1, 2023, adopt modeling scenarios to publish a statewide inventory of negative emissions to be included in reports along with greenhouse gas emissions.

(b) The commissioner may adopt regulations, in accordance with the provisions of chapter 54, to implement the provisions of this section. Nothing in section 4a-67h, 22a-200 or 22a-200a or this section shall limit a state agency from adopting any regulation within its authority in accordance with the provisions of chapter 54.