

Environment Committee JOINT FAVORABLE REPORT

Bill No.: SB-117

AN ACT CONCERNING TREE REMOVAL ON PROPERTIES UNDER THE CONTROL OF THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION.

Title: PROTECTION.

Vote Date: 3/18/2022

Vote Action: Joint Favorable Substitute

PH Date: 2/25/2022

File No.:

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SPONSORS OF BILL:

Rep. David Michel, 146th Dist.

Rep. Christine Palm, 36th Dist.

Rep. Michael S. Winkler, 56th Dist.

Rep Lucy Dathan, 142nd Dist.

Rep. John "Jack" Hennessy, 127th Dist.

Rep. Maria P. Horn, 64th Dist.

Rep. Geraldo C. Reyes, 75th Dist.

Rep. David T. Wilson, 66th Dist.

REASONS FOR BILL:

To address the concerns of local residents, environmental advocates and the sponsors of the bill because of the extensive tree removals that took place at Housantonic Meadows State Park in Sharon, Connecticut

JOINT SUBSTITUTE LANGUAGE:

Removed certain arborist designation provisions for state parks, added requirement to plant trees for trees removed and established thresholds for tree removal procedures to apply.

RESPONSE FROM ADMINISTRATION/AGENCY:

Katie Dykes, Commissioner of Energy and Environmental Protection

DEEP appreciates the intent of the bill to improve transparency and establish standards for the removal of hazard trees, they offer examples on unintended consequences and practical implications of this bill for public safety, agency resources, and park accessibility. They would welcome the opportunity to work with the Committee on this bill

To try an address some of the concerns.

NATURE AND SOURCES OF SUPPORT:

Timothy Abbott, Regional Land Conservation Director, Housatonic Valley Association

They accept that DEEP's hazard tree identification program is well intended, it is flawed because it allowed 145 trees to be removed at Housatonic Meadows without proper agency oversight or community input. The entire program needs to be reevaluated. Limit the authority of park managers, limit the number of hazard trees that may be marked, Require stakeholder consultation, establish a process to identify and protect "heritage trees", establish a restoration plan, require a comprehensive management plan.

Peter Hern, Executive Director, State of Connecticut Council on Environmental Quality

The Council is recommending that, in addition to posting notice on the trees and shrubs that are scheduled to be removed, DEEP should utilize the existing CEPA process that requires analysis, notice, public input and agency responses for its planned forestry and tree management actions.

Lori Brown, Executive Director, Connecticut League of Conservation Voters

CTLCV wants public notice, better evaluation process, higher consideration of the environmental and wildlife impacts, and detailed plans on the restoration of the impacted areas.

Eric Hammerling, Executive Director, Connecticut Forest & Park Association

They support the raising of SB 117 that would assist with transparency and public process related to addressing the assessment and potential removal of hazard trees in State Parks and campgrounds. There are important questions being raised because of trees that were removed at the Housatonic Meadows State Park.

Nathan Frohling, Director of External Affairs, The Nature Conservancy

That the proposed legislation is to provide an important mechanism for assuring that trees and vegetation on DEEP properties are not cut or removed by the agency without sufficient expert consultation and the opportunity for citizens to weigh in through standard due process.

Robert LaFrance, Director of Policy, Audubon Connecticut, National Audubon Society

They wish to associate their testimony with recommendations of Connecticut Forest and Park Association and the Connecticut Land Conservation Council. They agree that "...the hazard tree assessment process should be interdisciplinary, made by or under the direct guidance of a licensed arborist and other professionals with relevant expertise. It should also include an evaluation of options to mitigate potential hazards and preserve trees."

Amy Blaymore Paterson, Executive Director, Connecticut Land Conservation Council

The requirements proposed in the bill would put in place a system to ensure that land entrusted to the state for conservation and recreation will be protected for those purposes. Also, they advocate for the increase in the budget for more staffing at DEEP so they have the capacity to fulfill these requirements.

Tree Warden from the Town of Kent

That DEEP and other State entities be required to conform to a statewide "Hazard Tree Assessment" directive. That requires the individual to maintain CEU's specifically for this qualification and relicensing every 5 years. They should require knowledge of integrated ecosystems-based management practices.

NATURE AND SOURCES OF OPPOSITION:

None Expressed

Reported by: Judith Ganswindt

Date: March 25, 2022