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

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (Effective from passage) (a) For purposes of this section, "arborist" has the same meaning as provided in section 23-61a of the general statutes.

(b) The Commissioner of Energy and Environmental Protection shall appoint an arborist for each state park and campground under the Department of Energy and Environmental Protection's custody and control. Not later than January thirty-first of each calendar year, the commissioner shall publish a list that identifies the appointed arborist for each state park and campground in the state and post such list on the Internet web site of the Department of Energy and Environmental Protection.

(c) Notwithstanding the provisions of section 23-4 of the general statutes, prior to authorizing the removal or pruning of any tree, shrub or group of shrubs located in any such state park or campground, the
commissioner shall consult with the arborist identified for such state
park or campground, pursuant to subsection (b) of this section, to
determine the trees or shrubs that are identified for removal or pruning.
Unless the condition of such tree, shrub or group of shrubs constitutes
an immediate public hazard, as determined by such arborist in
accordance with subsection (d) of this section, the commissioner shall,
not less than ten days prior to the scheduled removal or pruning of any
such tree, shrub or group of shrubs, post on each tree, shrub or group of
shrubs, as applicable, a notice indicating the department's intention to
remove or prune any such tree, shrub or group of shrubs. If any person,
firm or corporation objects to such removal or pruning, such person,
firm or corporation may make petition to the commissioner, in writing,
on a form prescribed by the commissioner. The commissioner shall
suspend the scheduled removal or pruning of any such tree, shrub or
group of shrubs and hold a public hearing, in accordance with the
provisions of chapter 54 of the general statutes, at a noticed time and
place after giving not less than ten days' notice of such public hearing to
all persons known by the commissioner to be interested in such petition
and after posting notice of such public hearing on any such tree, shrub
or group of shrubs. Not later than ten days following any such public
hearing, the commissioner shall provide notice of the commissioner's
decision concerning the removal or pruning of any such tree, shrub or
group of shrubs to any person known by the commissioner to be
interested in such petition.

(d) In the event that any such tree, shrub or group of shrubs
constitutes an immediate public hazard, as determined by the arborist,
the commissioner shall consult with the arborist identified for such state
park or campground, pursuant to subsection (b) of this section, to
determine if such tree, shrub or group of shrubs requires immediate
removal. Prior to removing any such tree, shrub or group of shrubs, in
determining whether any such tree, shrub or group of shrubs constitutes
an immediate public hazard, the arborist shall consider the following:
(1) The proximity of such tree, shrub or group of shrubs to the public's
utilization of the state park or campground and whether physical
changes to the public's utilization of such state park or campground
could reasonably change the status of a determination of such tree,
shrub or group of shrubs constituting an immediate public hazard; (2)
the feasibility of pruning or pesticide application in lieu of the removal
of any such tree, shrub or group of shrubs; and (3) the age and history
of any such tree, shrub or group of shrubs to determine if there is any
social or scenic value to such tree, shrub or group of shrubs.

(e) After considering the factors set forth in subdivisions (1) to (3),
inclusive, of subsection (d) of this section, such arborist may determine
that any tree, shrub or group of shrubs constitutes an immediate public
hazard and such commissioner may provide for the immediate removal
of any such tree, shrub or group of shrubs. The commissioner shall
record the date and location of any such tree, shrub or group of shrubs
that are removed as a result of the decision that such tree, shrub or group
of shrubs constituted an immediate public hazard. Such record shall
also indicate any specific determination made by the arborist in
considering the factors described in subsection (d) of this section. The
commissioner shall cause such record to be posted on the Internet web
site of the Department of Energy and Environmental Protection not later
than three days after the removal of any such tree, shrub or group of
shrubs.

| This act shall take effect as follows and shall amend the following sections: |
|--------------------------------------------------|-----------------|
| Section 1 | from passage | New section |

**Statement of Purpose:**
To improve transparency and establish standards for the removal of
trees and shrubs that constitute an immediate public hazard at state
parks and campgrounds.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except
that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not
underlined.]