



General Assembly

**Substitute Bill No. 117**

February Session, 2022



**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:

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

4 (b) For any tree located in any state park or campground, prior to  
5 authorizing the removal or pruning of five or more of such trees per acre  
6 or the removal or pruning of any tree that is estimated by an arborist  
7 consulted pursuant to this subsection to be seventy-five years or older,  
8 a species of special concern or a threatened or endangered species, the  
9 Commissioner of Energy and Environmental Protection shall consult  
10 with an arborist who is not otherwise employed by or under contract  
11 with the Department of Energy and Environmental Protection to  
12 determine any such tree that is identified for removal or pruning. Unless  
13 the condition of such tree constitutes an immediate public hazard, as  
14 determined by such arborist in accordance with subsection (c) of this  
15 section, the commissioner shall, not less than ten days prior to the  
16 scheduled removal or pruning of any such tree, post on each tree a  
17 notice indicating the department's intention to remove or prune any

18 such tree. If any person, firm or corporation objects to such removal or  
19 pruning, such person, firm or corporation may make petition to the  
20 commissioner, in writing, on a form prescribed by the commissioner.  
21 The commissioner shall suspend the scheduled removal or pruning of  
22 any such tree and hold a public hearing, in accordance with the  
23 provisions of chapter 54 of the general statutes, at a noticed time and  
24 place after giving not less than ten days' notice of such public hearing to  
25 all persons known by the commissioner to be interested in such petition  
26 and after posting notice of such public hearing on any such tree. Not  
27 later than ten days following any such public hearing, the commissioner  
28 shall provide notice of the commissioner's decision concerning the  
29 removal or pruning of any such tree to any person known by the  
30 commissioner to be interested in such petition.

31 (c) In the event that any such tree constitutes an immediate public  
32 hazard, as determined by the arborist described in subsection (b) of this  
33 section, the commissioner shall consult with such arborist to determine  
34 if such tree requires immediate removal. Prior to removing any such  
35 tree, in determining whether any such tree constitutes an immediate  
36 public hazard, such arborist shall consider the following: (1) The  
37 proximity of such tree to the public's utilization of the state park or  
38 campground and whether physical changes to the public's utilization of  
39 such state park or campground could reasonably change the status of a  
40 determination of such tree constituting an immediate public hazard; (2)  
41 the feasibility of pruning or pesticide application in lieu of the removal  
42 of any such tree; and (3) the age and history of any such tree to  
43 determine if there is any social or scenic value to such tree.

44 (d) After considering the factors set forth in subdivisions (1) to (3),  
45 inclusive, of subsection (c) of this section, such arborist may determine  
46 that any tree constitutes an immediate public hazard and such  
47 commissioner may provide for the immediate removal of any such tree.  
48 The commissioner shall record the date and location of any such tree  
49 that is removed as a result of the decision that such tree constituted an  
50 immediate public hazard. Such record shall also indicate any specific

