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

(c) In the event that any such tree constitutes an immediate public hazard, as determined by the arborist described in subsection (b) of this section, the commissioner shall consult with such arborist to determine if such tree requires immediate removal. Prior to removing any such tree, in determining whether any such tree constitutes an immediate public hazard, such arborist shall consider the following: (1) The proximity of such tree 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 constituting an immediate public hazard; (2) the feasibility of pruning or pesticide application in lieu of the removal of any such tree; and (3) the age and history of any such tree to determine if there is any social or scenic value to such tree.

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

(e) The Commissioner of Energy and Environmental Protection shall provide for the planting of trees in such state park or campground to replace any tree removed in accordance with the provisions of this section. Any such planting shall be performed in a manner that will yield the establishment of comparable trees in the area of such state park or campground to any tree removed in accordance with the provisions of this section. For purposes of this subsection, "comparable trees" means trees that are of the same or a similar species as any tree removed in accordance with the provisions of this section and that will yield comparable calipers, canopy and aesthetic characteristics as any such tree removed in accordance with the provisions of this section.

This act shall take effect as follows and shall amend the following sections:

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<th>Section 1</th>
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<th>New section</th>
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**ENV** Joint Favorable Subst.

**APP** Joint Favorable