

Planning and Development Committee

JOINT FAVORABLE REPORT

Bill No.: SB-1003

Title: AN ACT ESTABLISHING A MUNICIPAL TREE REMOVAL GRANT PROGRAM.

Vote Date: 2/15

Vote Action:

PH Date: 2/1/2023

File No.:

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SPONSORS OF BILL:

Planning and Development Committee

REASONS FOR BILL:

To establish a municipal tree removal grant program administered by the Commissioner of Energy and Environmental Protection. Municipalities require assistance removing dead, dying and hazard trees or their remains to maintain safe roads and power ways.

RESPONSE FROM ADMINISTRATION/AGENCY:

DEEP, COMMISIONER, KATIE S. DYKES TESTIFIED THAT, "The Department of Energy and Environmental Protection (DEEP) supports the concept of removing dead, dying, and hazardous trees, recognizing the critical nature of ensuring safety and achieving increased healthy tree canopy cover. ...Deferred tree maintenance poses both a safety threat and a challenge to increasing tree canopy cover. Offsetting municipal hazardous tree removal costs with these grants will enable dedicated tree care funds to be directed towards replanting trees removed. Deep recommends that this bill focus on tree removals in underserved and environmental justice communities as these are some of the communities with the greatest need for investment and with the most limited funding."

NATURE AND SOURCES OF SUPPORT:

House of Representatives, Deputy Republican Leader at-large, Representative Tim Ackert Regarding raised SB 1003 he testified that, "the damaged caused by the emerald ash borers and the Lymantria dispar spongy moth better known to us as the gypsy moth, throughout the eastern United States is extensive. It is creating a significant cost to our municipalities and will for the next few years. A grant program would be helpful to offset the costs to our residents if we can find an affordable funding mechanism."

TREE WARDENS ASSOCIATION OF CONNECTICUT, PRESIDENT, ROY CAVANAUGH

testified that, “funding this program would be a great way to invest in our tree infrastructure, protect public health and safety and alleviate the financial burden on the municipal taxpayers”.

CHRIS DONNELLY testified that, “I understand the importance of trees to people along with the risks that large trees can pose when they exist in close proximity to people. There is a need for these trees to be maintained and, when they die or become hazardous, for these trees need to be removed”. “As a result of a series of events over the past several years, and the past 12 years especially, there are many dead and unsafe trees along Connecticut’s roadsides that need to be removed. This bill will help alleviate this situation”.

TOWN OF COVENTRY, TOWN MANAGER, JOHN ELSESSER testified that, “providing funding to assist towns in removing dead and decaying trees is critical to the public safety of our communities”. “These issues create significant hazards, particularly along roadways, and the costs of removing trees is significant. The \$100,000 per year costs of removing trees is diverting funding from road work”.

NE CT COUNCIL OF GOVERNMENTS, EXECUTIVE DIRECTOR, JOHN FILCHAK testified that, “Branches of all sizes routinely fall on our roads (especially during storms) and the roots of these trees are compromised to the extent that they can no longer provide support - resulting in the entire tree falling. These hazard trees pose real public safety issue - that must be addressed”. “While Eversource has done a good job of clearing hazard trees from utility lines - there is opposite side of the road - which is the responsibility of our towns. The cost to clear these trees from our roadways is well beyond the capacity to do so locally. Added to this is the fact that many hazard trees lie beyond a town’s right-of-way on private property. Similar to our towns dilemma, the cost to remove these trees is challenging”.

CT COUNCIL OF SMALL TOWNS, DIRECTOR, LEGISLATIVE & MARKETING, JAMES BERARDINO TESTIFIED THAT, “By creating a grant program, sb-1003 will be instrumental in assisting towns in quickly removing trees that pose a public safety risk”.

RIVERCOG, EXECUTIVE DIRECTOR, SAMUEL GOLD TESTIFIED THAT, “A number of invasive species are decimating our state’s forests, killing trees faster than our municipalities can remove them. Dead and dying tree pose a serious public threat to the public. We believe that state involvement is merited and necessary as the problem is expected to only grow”. Gold recommends, “Removing the requirement that grants need to be spent within the state fiscal year and instead create a twelve or eighteen month maximum contract length for grants, after which any unspent funds are to be returned to DEEP”. Gold also suggests, “There should be efforts to coordinate tree removals with ctdot and utility companies. At minimum communication between these entities should be encouraged in order to address tree removals in a coordinated and cost-effective way, that minimizes impacts to neighborhoods and businesses”. Lastly, Gold suggests, “Deep should consider disposal plans for the wood, with the possibility of using wood in cleaner burning furnaces used in larger facilities like some public schools. This could include assistance with retrofits of heating systems in order to take advantage of this massive source of firewood”.

CONNECTICUT CONFERENCE OF MUNICIPALITIES, CHIEF STRATEGY OFFICER,

DONNA HAMZY CARROCCIA supports this bill as, “the grants established by sb 1003 will help municipalities meet those fiscal challenges by providing the funds necessary to keep the public safe”.

MIDDLETOWN URBAN FORESTRY COMMISSION, CHAIRMAN, JANE HARRIS

SUPPORTS THIS LEGISLATION AS it will benefit our state through improved health of trees, people and the overall environment”. “This funding is particularly needed at this time because of the destructive effects of climate change on the urban forest”. “I further recommend signing this bill so that municipalities have adequate funds to perform maintenance pruning”.

CITY OF NEW HAVEN, TREE WARDEN, ANNIE MIXSELL supports this legislation as,

“New Haven’s recent street tree inventory of just half our neighborhoods identified 1,987 street trees in poor, very poor, or standing dead condition. additional resources such as those that may be provided from this bill would allow New Haven to hire outside contractors to expedite tree removals and address the risks these trees pose”. “The funds provided by this bill would supplement municipal urban forest management plans through risk mitigation and addressing public health and safety”.

STATE SENATOR, CATHY OSTEN supports this legislation as, “providing a competitive grant program for municipalities to apply for would allow them to address many concerns around tree removal”.

WESTERN CT COG, EXECUTIVE DIRECTOR, FRANCIS PICKERING supports this bill as,

“the mass mortality the state is experiencing in affected species is producing tree removal needs that fall well outside of the historical norm and often exceed the capacity of municipal crews and budgets to resolve. bill 1003 would provide additional resources to meet this additional need, helping ensure that unsafe trees are removed before they fall out of their own accord”.

DR. JEFFREY SHAW, supports this bill suggesting, “that the commissioner of the Connecticut department of energy and environment, in administering the distribution of funds, require confirmation of a municipal tree warden’s compliance with the certification requirements of sec. 23-59a of the Connecticut statutes and, in addition, require a municipality to submit a vegetation management plan”.

CRPA, EXECUTIVE DIRECTOR, VALERIE COLLINS STOLFI **SUPPORTS** this bill as it, “would provide grant funding to municipalities for the removal of dead or hazardous trees in public areas and along town roads. CRPA appreciates and supports the allocation of additional funds for these important maintenance initiatives”. “This bill would help municipalities that have expended their allocated funds to further their work on this important initiative”.

TOWN OF BURLINGTON PUBLIC WORKS, DIRECTOR PUBLIC WORKS, SCOTT

THARAU supports this bill as, “there is a financial burden for each municipality dealing with downed trees due to storms, drought and borer-infested trees that must be removed for public safety. The removal costs are not covered in any city or town budget and thus must be taken from the general fund, which can affect each town’s budget, significantly given the

ability to recoup funding is a positive step by the legislature and the state of Connecticut's department of energy and environmental protection”.

NATURE AND SOURCES OF OPPOSITION:

CT FOREST PARK ASSOCIATION, EXECUTIVE DIRECTOR, ERIC HAMERLING opposes this bill as, “requiring deep to establish a grant application process, eligibility criteria, a formula for grant awards, and administer this program would overwhelm deep’s administrative capacity which is already extremely limited”. Also, “There are other tree and forest priorities that DEEP currently needs to address that would be impossible if DEEP also had to respond to the various needs of communities to address dead, diseased, decaying, and dying trees. DEEP has a higher obligation, in our opinion, to protect, manage, and restore the health of existing trees, increase tree canopy coverage to provide additional benefits to communities, support investments in urban and community forestry, and help communities plan for the future with tree inventories, management plans, and many other activities”. Lastly, “the costs and site-specific priorities associated with maintaining healthy urban and community forests are different in every community, it would be exceptionally difficult for deep to develop criteria for a grants program that would address all needs fairly, and deep should not be tasked with this extra responsibility given that the agency already has inadequate staff to take care of their current responsibilities”.

RALPH JONES opposes this legislation as, “We need to give priority to protecting our trees and forests. that's where we need to spend our money and deep's efforts. Even dead and dying trees provide environmental benefits and should only be removed when it is really necessary”.

Reported by: Nick Badorek

Date: 3/15