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16 Meriden Road
Rockfall
Connecticut 06481-2961
Tele: 860-346-TREE
www.ctwoodlands.org

Testimony of Eric Hammerling, Executive Director, Connecticut Forest & Park Association

Public Hearing Subject Matter	Position
Raised SB 122: AAC THE REPLANTING OF TREES IN PUBLIC AREAS CLEARED BY UTILITY COMPANIES.	Support

The Connecticut Forest & Park Association (CFPA) is the first nonprofit conservation organization established in Connecticut in 1895. For over 128 years, CFPA has offered testimony before the General Assembly on various State Park and Forest, trail recreation, sustainable forestry, and land conservation issues.

I want to thank the Committee for raising this bill and putting the concept of “compensatory reforestation” on the agenda. Over the past decade, I have Chaired the State Vegetation Management Task Force created by the Two Storms Panel, Chaired the Forests Subgroup of the Governor’s Council on Climate Change, and most recently Chaired a diverse group of organizations to develop Policies on Resilient Forests for Connecticut’s Future (PRFCT Future).

All of my efforts have been based upon the premise that trees and forests provide a wide variety of socioeconomic, ecosystem, and other benefits, and that we all share an important responsibility in how we steward their present and future. With a changing climate and a new normal of more intense weather events and stressors on trees, this is especially important and increasingly difficult.

In the State Vegetation Management Task Force Report, forestry scientist Dr. Jeffrey Ward estimated there are 2.1 million trees lining almost 21,000 miles of roads in Connecticut (based upon an average of 100 trees/mile found beside 3,731 miles of state highways and 17,232 miles of town roads). Around 1.2 million of these trees are estimated to be larger than 1 foot in diameter, and almost half (~48%) of all of the trees are maples. Many of these roads also have electric distribution infrastructure along them, so it’s not surprising that there are significant interactions between roadside trees and wires.

Electric utilities have a difficult task of ensuring a resilient electric system alongside a well-loved roadside forest, but that is what most communities ask them to do. Electric utility vegetation management budgets are primarily for costs associated with tree pruning and removal, and this bill would help ensure that at least some of their vegetation management budget is also dedicated to planting trees that will eventually replace unhealthy and diseased trees when they fail or are determined to be hazardous.

Of course, it would take many years for a 2” planted tree to replace the ecosystem benefits that had been provided by a 16” tree, so there would need to be provisions requiring caliper equivalence, ensuring the maintenance of planted trees, and many other considerations to ensure that avoiding removal of healthy trees in the first place should be the highest priority.

The PRFCT Future Report calls for, amongst other recommendations, that Connecticut adapt and adopt Compensatory Reforestation guidelines similar to what New Jersey uses to compensate the public for forest lost through the actions of a state agency. Here is a link to the [New Jersey guidelines for replanting](#) that consider caliper size and other species and site-specific characteristics.

Following is an excerpt from the [PRFCT Future Report](#) (pp. 8-9):

ENABLE COMPENSATORY REFORESTATION TO MITIGATE ACTIONS BY STATE AGENCIES AND UTILITIES that result in unavoidable losses of forest.

It is critical for Connecticut to show leadership in this area by ensuring that the actions of our own state agencies (e.g. the removal of significant forest in the state right of way along a state highway by the Department of Transportation) be undertaken in the context of the avoidance and mitigation of forest loss. The “New Jersey” compensatory reforestation model (authorized by [The New Jersey No Net Loss Compensatory Reforestation Act](#), (N.J.S.A. 13:1L-14.1 et seq.) offers a strong example in place for almost a decade that should be adapted to Connecticut.

The PRFCT Future Working Group reached consensus support on elements such as the following to implement in Connecticut:

- Require State agencies to submit a compensatory reforestation plan to DEEP’s Forestry Division for each project that results in the deforestation of one-half acre (0.5 ac/21,780 square feet) or more on land the State entity owns or maintains, subject to exemptions for standard land management practices such as forestry, wildlife management, arboricultural practices, or actively managing existing utility easements.
- Require entities receiving a permit from the Connecticut Siting Council for energy development to compensate for loss of forest, farmland, and other natural lands through the conservation, replanting, and/or reforestation of a comparable amount in another location, or if such conservation, replanting or reforestation is determined not to be feasible, to make payments to a mitigation fund. This compensatory mitigation should not change the standard that avoidance of forest loss should be the primary goal for siting energy facilities.
- Require similar compensatory mitigation by utilities for significant forest or urban tree canopy losses due to tree removals along electric distribution lines.

Thank you for the opportunity to provide comments, and I’d be glad to respond to any questions you may have.