

Forest Practices Advisory Board  
Monday, June 27, 2022  
Hybrid Meeting  
9:00 am – 11:00 am

Attendees: Chris Martin, Barbara Kelly, Patrick Comins, Brennan Sheahan, Mark Ashton, Joan Nichols

Guests: Eric Hammerling (CFPA), Nick Zito (DEEP Forestry), Alison Rau (DEEP-Legal), Sheila Hoefle (DEEP Forestry, recorder)

Absent: Bruce Spaman, Ian Branson, Tom Degnan

Review and vote to approve February 17, 2022, meeting minutes – Correct the second to the last paragraph on the first page to read “pesticides, including herbicides and insecticides”.

Motion to approve amended minutes by Brennan, seconded by Barbara. Joan Nichols abstained from the vote because she was no in attendance at the February meeting.

FPAB Vacancies – Chris has not reached out to Colleen Murphy Dunning because he was waiting for appointing authorities to be clarified before approaching anyone to fill a vacancy. Appointing authorities have been set and will go into effect on October 1. Tom Degnan is stepping down as the CFPA Forester on the Board of Directors in November. Jeff Ward will be nominated to fill that vacancy going forward.

2022 Legislative Session Outcomes – 2022 Legislative Outcomes – [Senate Bill 238](#) has been signed, is now [Public Act No. 22-143](#). Portions of the Act that are associated with reciprocal aid within NFFPC areas. PA22-143 also allows for updates to the FPA, including appointment to the Forest Practices Advisory Board and authorizing a 60-day extension for expired certifications without the need to reexamine. Simplification was also made to CEU attainment for forest practitioners, total CEUs for the certification period rather than the requirement to obtain one-half of the CEUs in the first and second halves of the period. There will also be a greater opportunity to transfer certification from other places (states, professional organizations) that require an examination for certification or licensure. The Board discussed the penalty fee for utilizing the 60-day extension; suggestions were \$65 or \$100 with \$100 be the agreed upon final amount.

Eric shared that in SB238 there is requirements related to hazard tree mitigation that DEEP performs. By August 1 DEEP shall develop a hazard tree mitigation policy that will apply to all hazard trees located within state parks and campgrounds (this does not include forests or wildlife management areas). The board also discussed a proposed land conveyance in Housatonic Meadows State Park to private ownership to a private landowner.

CT [HB5506](#) - The final budget that was signed into law by Governor Lamont updates the CT Farmland Restoration Grant Program including changing its name to the CT Farmland Restoration and Climate Resiliency Program and authorizing the CT Department of Agriculture (CT DoAg) to give out grants that help producers implement climate-smart agriculture and forestry practices as defined by the United States Department of Agriculture – Natural Resources Conservation Service. Chris has not been contacted by DoAG yet regarding the forestry component of the funding.

Chris discussed potentially introducing a change to the PA490 program for the next legislative session. The idea was to have an additional classification created for landowners that have an active current stewardship or forest management plan. The Board highly discouraged this; concerns were that when opening legislation that was already enacted other items could also be changed resulting in unintended consequences. Discussion turned to incentivizing forest management for landowners other than PA490. When foresters interact with landowners, they should share any cost share information through NRCS that could be used. Other members shared frustrations that have been experienced in other states working with their PA490 type programs.

Forestry Division's New Webpage – Chris encouraged all to review the new [webpage](#) including the new section on [Climate Change and Connecticut Forests](#). Chris thanked Andrea Urbano for her efforts heading up the updates.

Enforcement Actions, Exams – Consent Order with Lenahan Landclearing has received final approval from Commissioner Dykes. The landowner told the operator that all municipal approvals were in place when they were not. Lenahan has agreed to a penalty and will become a certified forest practitioner to prevent this from happening in the future.

DEEP staff received complaints from the Sharon Land Trust about an individual who was conducting a forestry practice. There is a good chance that the operator is cutting 24,000 board feet per year, just under the FPA commercial harvest threshold. The police have been involved due to timber theft; the town has indicated that they don't want to be involved.

There are a few encroachments into Cockaponset State Forest and a boundary confusion with the CT Water Company in Chester.

Another encroachment is off Rt 154. The landowner cleared trees from their property as well as CT Valley Railroad Property and removed the stumps on the western side of the railroad tracks, work continues the property. Staff are working on a plant appraisal. There are potential issues because trees were dropped into the Connecticut River which is a navigational waterway. There are concerns about the stability of the bank now that all vegetation has been removed.

The Riendeaus consent order has expired. Part of the fines collected will be used for a workshop on soil health, water quality and BMPs later this year.

Joan asked if the maximum penalty, \$5,000/day per offense, is collected or if the penalty is typically negotiated down. Chris shared that the DEEP frequently will negotiate the penalty to a dollar amount agreeable to both DEEP and the individual.

The July Forest Practitioner exam has been cancelled due to lack of applicants. The next exam is scheduled for October but if there is a need an exam can be scheduled for the interim.

Municipal FPA Regs – Haddam has submitted a draft of their municipal forest practices regulations. Nick will continue to work with Haddam until their regulations can be approved.

Staff contacted Ron Sibley about municipal forest practices regulations because DEEP doesn't have anything on file for them. Ron indicated that Newtown was going to let them go but that would also require a charter change for the town. Nick has started the process of the revocation of municipal authority under CGS 23-65p.

Nick has been working with the wetlands official in Coventry because they were making a jurisdictional ruling without any indication in the notes of the Committee meeting. Darcy Winther, DEEP Wetlands, also discussed the issue with the town. The town will ensure that there is documentation of the commission delegating the authority to the agent for making jurisdictional rulings.

DoF Staffing – interviews have been completed and the interviewers report has been submitted to refill the position vacated by Doug Emmerthal. The interviewer's report is being reviewed by the Affirmative Action Office now.

Michelle Wood has been hired into the State Lands Management Program in southeastern Connecticut. Olney Knight was hired as a fire control officer to replace Kevin Grady. Amy Burgess left state service because she accepted another job out west. We will continue to look for a replacement for a western Connecticut fire control officer. Danica Doroski is on leave until early September. There are not any other pending retirements for the Forestry Division. Dan Evans has transitioned to cover more of the area that was previously covered by Ed McGuire.

OPM has given the OK to fill full time positions with 5–9-year funding. IJA funds will be used to establish two positions within Forestry. An outreach forester and a fire control officer. The outreach forester will provide education and outreach to the public and the fire control officer will be an additional position in western Connecticut.

State Lands Forester, David Irvin's YouTube videos continue to draw significant interest with a recent one making Yahoo News.

Additional items:

The Whip-poor-will Woods Forest Legacy Project was selected to receive the Connecticut Land Conservation Council's 2022 Excellence in Conservation Organization Award for an outstanding project. From the CLCC Board of Directors – "In honoring WPWW, the CLCC Awards Committee recognized the years of tireless commitment and collaboration among woodland landowners (and neighbors!) to realize their individual goals of permanently conserving their land. WPWW is exceptional not only in terms of its unique size and regional conservation impact but also its broad range of critical natural resources and features. Finally, the committee was impressed by the strong partnership with the members of the CT DEEP Forestry Division and other conservation professionals who were strongly determined to see the project through to fruition."

Infrastructure Investment and Jobs Act Temporary Bridge Program – The program will provide direct federal support to states to establish rental programs for portable skidder bridges, bridge mats or other temporary water crossing structures to minimize stream bed disturbance. CT DEEP Forestry plans to work with Timpro to establish a program for CT. Brennan noted that he is no longer president of Timpro, and that Scott Rogers is the new president.

Joan asked about CEUs being assigned for forest practitioner participation on Boards or who organize events for professional organizations (Timpro or NELA). Chris confirmed that if the meetings have an educational component, then CEUs can be considered. Chris suggested submitting the agenda prior to the meeting to Nick Zito for consideration.

Patrick updated the Board on the Recovering Americas Wildlife Act. The Act passed the House and will now go to the Senate. There are many co-sponsors on both sides of the aisle. Should this pass, it will bring just under \$12 million a year for wildlife conservation in Connecticut.

National Fish and Wildlife Foundation has announced the launch of the America the Beautiful Challenge 2022 Request for Proposals. The ATBC will award approximately \$85 million nationwide to advance the goals of the America the Beautiful Initiative.

Eric shared that the CT Urban Forest Council Meeting and the Forest Forum will be back this year. The event will take place at the Aqua Turf Club.

Opportunities are available on the Governor's Council on Climate Change. Working group members are being sought, anyone who is interested in and/or engaged with addressing climate change in CT should consider participating.

Brennan communicated that there has been significant defoliation in western Connecticut due to spongy moth. He asked if the state is planning any timber salvage operations. Chris shared that staff in western Connecticut have noted the presence of the fungus and virus that kills spongy moth and that we are hoping for the die-off to continue. Salvage operations are being planned and more may be needed if conditions warrant. The Division of Forestry has State Lands Management Program has Standard Operating Procedures in place that identify the process on how to proceed.

There was an aerial application of BT on the Better Place Forests Litchfield Hills site in Falls Village. Better Place Forests Litchfield Hills is a Memorial Forest where ashes are placed in the forest on about 120 acres. The Better Place Forests Litchfield Hills abuts Housatonic SF. The final report from JBL Helicopter Services was reviewed and confirmed that spraying went according to plan. This is first aerial pesticide application permit that DEEP has issued in over 10 years.

Meeting closed at 10:57am