



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

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*Executive Director*

January 29, 2023

Re: Senate Bill 122 - An Act Concerning the Replanting of Trees in Public Areas Cleared by Utility Companies

Honored Co-Chairs Sen. Lopes and Rep. Gresko, Vice Chairs Sen. Hochadel and Rep. Palm, Ranking Members Sen. Harding and Rep. Callahan, Distinguished Members of the Environment Committee,

The Council on Environmental Quality (Council) is a nine-member board that works independently of the Department of Energy and Environmental Protection to assess the condition of Connecticut's environment and report its findings annually to the Governor; recommend actions to improve state environmental programs; advise other state agencies on the environmental impacts of proposed projects; and investigate citizens' complaints and allegations of violations of environmental laws.

The Council supports certain provisions of Senate Bill 122 that would establish a municipal vegetation restoration fund for the purpose of planting trees removed by the electric distribution companies. The Council notes that the proposed bill includes a requirement that the trees that are planted with the funds must be the "same types as those removed". This provision is concerning since it might be the case that non-native trees and/or trees that were susceptible to disease or changes in the environment were removed and it might be inappropriate to replace them with the same type. In addition, the proposed bill provides no guidance on the locations for the replanting of trees. Consequently, the Council recommends that the Vegetation Management Working Group, established by the Public Utilities Regulatory Authority<sup>1</sup> in October 2022, address the following issues: 1) guidance on the types of trees that should be planted, their size, and specific responsibilities to ensure survival of the replanted trees by the tree warden, and 2) guidance on the locations for the replanting of trees within the public right-of way and/or on other public lands to avoid future conflicts with the electric distribution system. The Council also recommends that the municipal vegetation restoration fund be replenished by the utility companies as needed, since the removal of trees in conflict with the electric distribution system is likely to be an ongoing issue.

Thank you for consideration of these comments.

Sincerely,

Paul Aresta,  
Executive Director

<sup>1</sup> Public Utilities Regulatory Authority, Docket 17-12-03RE08, Final Decision dated August 31, 2022, and Order Number 16, Motion Number 40 Ruling, October 26, 2022.