

**Final Meeting Notes  
Forest Practices Act Temporary Task Force  
September 29, 2010  
2PM – 4PM**

Connecticut Farm Bureau Association, Inc. 755 Bloomfield Avenue, Windsor, CT

**Members:**

Chris Martin, Chair & State Forestry Director

Eric Hammerling, Connecticut Forest and Park Association

David Trykowski, forest products industry (sawmill)

Joan Nichols, Forest Practice Advisory Board

Gerald Bellows, TIMPRO

James Poole, III, Connecticut Tree Farm

Ed McGuire, DEP Forestry Field Forester

David Askew, Municipal wetlands agent

Carol Youell, Connecticut water utility

Karl Wagner, Connecticut Council on Environmental Quality

John O'Donnell, Consulting Forester also member of the CT Chapter of Society of American Foresters

David Schroeder, Private Connecticut forest landowner who is also a member of Eastern Connecticut Forest Landowners Association (ECFLA)

Guests, observers, public:

Doug Emmerthal, DEP FPA Program Manager

Janet Brooks

**A) Introductions, Mission Review**

Chris Martin thanked all for attending and the Connecticut Farm Bureau for hosting the third meeting of the PFA Temporary Task Force.

Introductions ensued with each member present stating their name and affiliation.

**B) Review and approval of September 9, 2010 meeting minutes**

One correction was noted on the draft minutes. 1) David Schroeder who was in attendance was not listed as present September 9, 2010.

### **C) Continued open discussion & brainstorming additional forest practice regulations concepts and additional measurements of FPA effectiveness**

*These concepts were discussed on September 9 and expanded on September 29*

1. There is a need for statewide forest practice regulation consistency
2. Urgent concern that personal property rights are being taken away by some towns.
  - a. Should DEP pursue statewide regulations because a few towns appear overbearing and anti-forest management?
  - b. Considerable frustration towards DEP for not addressing.
    - i. Towns over- regulating forest practices
    - ii. Towns regulating with no apparent statutory authority
    - iii. Need to identify towns and DEP should approach ones regulating forest practices beyond their statutory authority
3. Guidelines verse Regulations - which way to go. More fleshing out needed of pros and cons.
  - a. Guidelines
    - i. Pros
      1. Quicker and easier to develop and implement
      2. Could address additional natural resource matters
    - ii. Cons
      1. Regulated community notification
      2. Future changes
      3. Voluntary, not enforceable
  - b. Regulations
    - i. Pros
      1. Mandatory statewide consistency
      2. Removes overly burdensome local regulatory barriers regulating sustainable forest management
    - ii. Cons
      1. Concern for unintended consequences
      2. DEP lacks sufficient personnel to implement additional FPA regulations
      3. Additional regulations may act as a disincentive for landowners to keep forest land as forest
      4. Aesthetics may be in conflict with CGS 23-65j 1 – 9
      5. Fees may have to pay for additional personnel for regulation implementation
      6. Approximately 450 commercial timber harvests occur in Connecticut annually. If fees have to cover program administration, individual timber harvest application fees could be exorbitant
4. Should water quality protection BMPs become regulatory?
  - a. IWA agents currently have cease and desist authority should a watercourse or wetland become polluted from a timber harvest.

5. Training for IWA Commissioners - should be mandatory for all involved determining jurisdictional rulings under CT's Inland Wetlands Act
6. Forestry IWA awareness training should be conducted once every two years due to considerable IWA Commissioner turn-over.
7. Comprehensive review of CH 451A to determine if action items have been implemented or not.
  - a. This work to be done by another task force.
8. Additional FPA regulations or guidelines should:
  - a. Not regulate silviculture
    - i. DEP Certified Forester competency exam already determines applicant's silviculture knowledge. Additional on-the-ground silviculture regulations would be redundant and possibly undermine credibility of DEP Forester certification.
  - b. Be simple, well defined, and consistently interpreted.
  - c. Focus on air, water, and wildlife habitat quality.
9. DEP should fully implement all components of Chapter 451 or seek rescission of the entire Forest Practice act including the certification of forest practitioners. Many of task force members did not concur with this suggestion.

Task Force member Karl Wagener suggested a straw poll to count members supportive of additional forest practice regulations per 23-65j(a). Results: YES - 2, NO – 7, Abstain – 1. Several members discussed possibility of changing their opinion if regulations were low cost to the regulated community, easily understood and applied. One member stated he misunderstood the poll question. It was noted that Eric Hammerling had left the meeting earlier for another appointment and was not present for the straw poll.

#### **D) Next Steps**

Next meeting time and dates were discussed. It was agreed that the email doodle survey continues to be an effective way of scheduling.

Meeting adjourned 4:40pm.