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Comments on the Draft Hazardous Tree Mitigation Policy
Published by the Department of Energy and Environmental Protection (DEEP)
Pursuant to Section 17[1] of Public Act 22-143 dated July 17, 2022

Thank you for the opportunity to submit comments on behalf of the **National Audubon Society** through its affiliate state office, Audubon Connecticut. My name is Robert LaFrance and I am Audubon Connecticut's Director of Policy.

Audubon Connecticut protects birds and the places they need, today and tomorrow, using science, bipartisan issue advocacy, education, and on-the-ground conservation. Our conservation network extends statewide and includes nearly 32,000 members, five Connecticut chapters, and many partners along the Atlantic Flyway. Audubon's policy work is grounded in—and informed by—science. At Audubon, our core values demand that our work advance justice, equity, diversity, and inclusion.

Background:
Last Session, Senate Bill No. 117 - AN ACT CONCERNING TREE REMOVAL ON PROPERTIES UNDER THE CONTROL OF THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION was raised by the Environment Committee in response to tree removal actions by the Department of Energy and Environmental Protection (DEEP) at Housatonic Meadows State Park. DEEP did not contact any of its conservation partners before certain iconic riverside trees were removed. Yet, to DEEP's credit, they acknowledged the issue. According to DEEP's written testimony on Senate Bill No. 117:

> … DEEP's approach to hazard tree removal has not historically involved public notification in advance of a project, and it has not involved the use of certified arborists in confirming the determination that a tree constitutes a hazard.
>
> As a result of recent events and public input received related to a hazard tree removal project at Housatonic Meadows State Park, DEEP is implementing initial steps to provide more public notice ahead of hazard tree removal projects. DEEP is also actively working on further enhancements to the Department's hazard tree removal process that

[1] AN ACT CONCERNING REVISIONS TO CERTAIN ENVIRONMENT RELATED STATUTES.

promote public safety and access to parks and campgrounds, provide for greater transparency, public notice, and natural resource conservation, while being capable of being implemented in a timely and effective way within the Department's available resources. DEEP is giving particular consideration to the feasibility of utilizing arborists or enhanced skills in hazard tree assessment in areas or circumstances that are significant or sensitive. Connecticut's arborist training and certification requirements are robust and are currently not included in the job description for either a park supervisor or maintainer.

In our testimony on Senate Bill No. 117 we associated our position on the bill with the recommendations of the Connecticut Forest and Park Association and the Connecticut Land Conservation Council. We agreed with the notion that "…the hazard tree assessment process should be interdisciplinary, [and] made by or under the direct guidance of a licensed arborist and other professionals with relevant expertise. It should also include an evaluation of options to mitigate potential hazards and preserve the trees."

At Audubon, we have had a successful partnership with the Division of Forestry for many years. Forest management plans include a public outreach component and access to state forestry officials. And, we have worked with the Division of Forestry on the Forests for Birds program. We also acknowledge that DEEP's current staffing levels are woefully inadequate across all bureaus, but this is especially true for the Branch of Environment Conservation (EC) which includes the bureaus of Outdoor Recreation and Natural Resources.

On April 20, 2022 an amended version of Senate Bill No. 117 - passed the Senate, but was never called in the House. On May 4, 2022 Senate Bill No. 238 was amended to include section 17 that reads as follows:

> Sec. 17. (NEW) (Effective from passage) (a) Not later than August 1, 2022, the Commissioner of Energy and Environmental Protection shall develop, finalize and publish on the Department of Energy and Environmental Protection's Internet web site a hazardous tree mitigation policy that shall apply to the designation, removal and mitigation of trees located in state parks and campgrounds that are determined to be hazardous by the Department of Energy and Environmental Protection. Such policy shall include criteria for the designation of a tree as hazardous by the department and the scope of applicability for procedures for such designation, removal and mitigation, including, but not limited to, (1) department consultation of a licensed arborist prior to the designation and removal or mitigation of any such hazardous tree; (2) advance notification to the public of the department's hazardous tree removal activities, including, but not limited to, signage and publication of information on the Department of Energy and Environmental Protection's Internet web site; and (3) consideration of replanting and other relevant improvements to offset the aesthetic or ecological value provided by any hazardous tree that is removed. Such policy shall also include provisions for: (A) The maintenance of public safety, (B) ecological and natural resource protection, (C) practices for transparency and public engagement in the process of such designation, removal and mitigation, (D) effective stewardship of department resources, (E) public access to outdoor recreation, (F) fire suppression or protection efforts, (G) state park maintenance and repairs, (H) decorative pruning, (I) trail maintenance, (J) post-storm impact mitigation or clean-up, and (K) removal of invasive species. For the purposes of this section, "arborist" has the same meaning as provided in section 23-61a of the general statutes.
> (b) The Department of Energy and Environmental Protection shall implement a tree replanting

> demonstration project at Housatonic Meadows State Park, in consultation with state park or forest advocacy groups or organizations.
> (c) Not later than December 1, 2022, the Commissioner of Energy and Environmental Protection shall submit a report, in accordance with section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to the environment on state park and campground tree replanting strategies for removed hazardous trees and any associated funding needs.

Senate Bill No. 238 passed the Senate and the House on May 4, 2022 (last day of the Session) and was signed into law by Governor Lamont on May 31, 2022.

On July 1, 2022 DEEP notified the public that a DRAFT Hazard Tree Mitigation Policy was available for review and that DEEP was accepting comments through 11:59 PM on July 17th. View the **public notice and policy here**.

We had the opportunity to review the written comments of Eric Hammerling, Executive Director of the Connecticut Forest and Park Association. We would like to associate our position with Mr. Hammerling's written comments, especially this one:

> We hope, since DEEP will never be able to fully ensure the safety of the public, DEEP employees and volunteers, or contractors working amongst trees with 100% certainty, that this policy is not being primarily driven by concerns about financial/personal liability to the state. Although there have been unfortunate incidents over time where people have been injured or killed by falling trees or limbs, it is unclear whether or not this policy, had it been in place at the time of those tragic situations, might have avoided them. Of course, Connecticut DEEP has a responsibility both to account for public safety AND to ensure that forests are providing for recreation, wildlife, carbon storage, natural aesthetics, and a bevy of ecosystem benefits that trees provide to all of us -- even those trees that under the broad definitions of this policy might be defined as hazardous.

We also support Mr. Hammerling's comments related to sections 2 through 10 of the draft proposal.

Below are more specific comments submitted on behalf of Audubon. We take a particular interest in this draft policy because many of our members frequent state parks and campgrounds to watch birds. They also deeply care about preserving the habitat of the many species of birds that inhabit our state, especially in its public parks and campgrounds, even if those birds are only migrating through them. It is also important to note that many of our members, and our neighbors, have been closely following the events that took place at Housatonic Meadows State Park.

Audubon's Comments on the Draft Proposal Dated July 1, 2022:
We offer the following comments in a spirit of collaboration and compromise. We offered alternative legislative language at the end of last Session, but that language was ultimately not passed by the General Assembly.

The draft proposal is broken into the following headings:
1.0 Purpose
2.0 Definitions
3.0 Role & Responsibilities
3.1 Roles and Responsibilities of DEEP Personnel
4.0 Training
5.0 Heritage Tree Designation
6.0 Inspections
6.1 Hazard Potential Rating Targets
7.0 Internal Review
8.0 Signage/Notification
9.0 Corrective Actions and Mitigation
10.0 Replanting

Comments on 1.0 – Purpose:
Public Act 22-143 sets out the purpose of the draft proposal by stating, "Commissioner of Energy and Environmental Protection shall develop, finalize and publish on the Department of Energy and Environmental Protection's Internet web site a hazardous tree mitigation policy that shall apply to the designation, removal and mitigation of ***trees located in state parks and campgrounds*** that are determined to be hazardous by the Department of Energy and Environmental Protection." (Emphasis added.)

> Comment: This section of the draft proposal should be more focused on information about state parks and campgrounds (rather than other categories of DEEP property) and should include a listing of all of the DEEP campgrounds and state parks that will be covered by the policy.
> Additionally, paragraphs two and three of this section could be removed and paragraph three reworked to focus the purpose of the draft proposal onto "*trees located in state parks and campgrounds."*

Comments on Applicability in the Purpose Section:
According to the draft proposal:

"This Policy will apply to DEEP's hazard tree management activities in DEEP parks and campgrounds, provided that the procedures in this Policy will not apply in the following circumstances [emphasis added]:

1. Severe Weather Events - During or immediately following a Severe Weather Event, a large number of trees may be deemed extreme hazards. Priority must be given to addressing public safety risks and providing for quick restoration of operations and public access."

> Comment: This is a reasonable limitation on applicability, but should be more precisely defined. We suggest: Nothing in this policy shall prevent the Commissioner of Energy and Environmental Protection, or such commissioner's agents, from removing, without notice, any trees from a state park or campground when responding to a natural disaster or forest fire emergency when such emergency is appropriately declared. DEEP staff shall make public a record of the dates and locations of such tree removals and the nature of such emergency declaration at all state parks and forests not later than thirty days after such declaration.

"2. Extreme Hazards - A tree is an Extreme Hazard if risk of failure is imminent, and failure has a high probability of resulting in serious or life-threatening injury or serious property damage at any point. If a tree is determined to be an Extreme Hazard, removal should occur as soon as reasonably possible, and the area shall be closed off to people until removal occurs."

> Comment: We believe the expertise of a licensed arborist is the appropriate profession to make a determination of whether a tree is an "Extreme Hazard" – in other words an eminent or immediate public hazard. We suggest the policy should read: A licensed arborist shall be consulted to determine whether any tree in a state park or campground constitutes an immediate public hazard. Once such a determination is made by a licensed arborist, the commissioner or DEEP staff may provide for the immediate removal of any such tree. In the event it is impractical to get a licensed arborist to examine a tree that needs immediate removal, the area of extreme hazard could be marked off and a warning sign posted until a licensed arborist makes an inspection. DEEP shall record the date and location of any such tree that is removed as a result of the licensed arborist's decision that such tree constituted an immediate public hazard. The commissioner or DEEP staff shall cause such record to be posted on the Internet web site of the Department of Energy and Environmental Protection not later than ten days after the removal of any such tree.

"3. Forest Fire Suppression, Prevention or Protection Efforts – DEEP staff respond to forest fires across the state and often need to remove trees as part of their emergency response. In the case of a forest fire in or near a state park or campground, DEEP would use whatever tree removal methods necessary to suppress, prevent or protect the public and forest in this scenario."

> Comment: See the comment above under #1.

"4. Decorative Pruning – DEEP maintains decorative trees and shrubs in various gardens or scenic areas. This policy will not apply to pruning intended to enhance the appearance or health of decorative trees."

Comment: This item seems reasonable, but what if a significant or "heritage tree" is located in such garden or scenic area? Should not that type of tree be covered by the policy?

"5. Trail Maintenance, Cutting and Clearing - Both DEEP and other non-governmental organization maintain trails in state parks and campgrounds and these trail-related activities will not be governed by this policy."

Comment: As with all of the categories applicability, the language of the policy needs to be more precise such that the exception does not swallow the rule. Trimming and pruning of trees along trails makes sense, but a complete tree removal should be given more consideration. As we noted above, "the hazard tree assessment process should be interdisciplinary, [and] made by or under the direct guidance of a licensed arborist and other professionals with relevant expertise. It should also include an evaluation of options to mitigate potential hazards and preserve the trees." This consideration should carry over into any trails that exist in state parks and campgrounds.

"6. Infrastructure Maintenance Tasks – DEEP depends on roads, emergency access points, utilities and other infrastructure to keep parks operational and provide for public access. This policy will not apply to tree removal efforts related to infrastructure maintenance."

Comment: Similar to Item #1, this is a reasonable limitation on applicability, but the language should be more precisely defined. We suggest: Nothing in this policy shall prevent the Commissioner of Energy and Environmental Protection, or such commissioner's agents, from removing, without notice, any trees from a state park or campground when responding to an emergency situation on: a roadway, emergency access point, utility right of way, or other infrastructure to keep parks operational and provide for public access when such emergency situation exists. DEEP staff shall make public a record of the dates and locations of such tree removals at all state parks and forests not later than thirty days after such trees have been removed as well as a description of the emergency situation.

"7. Removal of Invasive Species – DEEP addresses invasive species by executing and funding invasive special removal projects and by supporting removal efforts by volunteer organizations. This policy will not apply to such efforts."

Comment: We support invasive species removal as matter of proper management of state parks and campgrounds. We believe this activity can be excluded from the draft proposal, UNLESS the activity would include removal of a mature tree.

"8. Trees Located on or Near the Boundaries of Department of Energy and Environmental Protection Lands - DEEP already has a policy governing hazard trees located on boundary lines; this policy is distinct from and does not apply to or supersede DEEP's policy governing boundary lines."

Comment: We would appreciate a link to the DEEP Policy on "Trees Located on or Near the Boundaries of Department of Energy and Environmental Protection Lands. A link was not included in the draft policy document.

"9. Forestry Management – DEEP frequently executes forest management projects in state forests and occasionally in state parks. These activities are managed through robust outreach and planning protocols such as the development of 10-year forest management plans and pre-harvest tours. This policy does not apply to Forest Management activities."

Comment: We believe this section of the draft proposal should be removed or more precisely drafted.

The purpose of the draft proposal is establish a, "hazardous tree mitigation policy that shall apply to the designation, removal and mitigation of trees located in state parks and campgrounds that are determined to be hazardous by the Department of Energy and Environmental Protection. Such policy shall include criteria for the designation of a tree as hazardous by the department and the scope of applicability for procedures for such designation, removal and mitigation, including, but not limited to, (1) department consultation of a licensed arborist prior to the designation and removal or mitigation of any such hazardous tree; (2) advance notification to the public of the department's hazardous tree removal activities, including, but not limited to, signage and publication of information on the Department of Energy and Environmental Protection's Internet web site; and (3) consideration of replanting and other relevant improvements to offset the aesthetic or ecological value provided by any hazardous tree that is removed."

Forest management plans as a general rule are tools used to implement "long-term scientific based management strategies [which] are developed for each state forest and incorporate measures to enhance wildlife habitat, protect water quality, create recreational opportunities, and plan the sustainable harvest of forest products." (See - https://portal.ct.gov/-/media/DEEP/forestry/Why-manage-flyer/State-Lands-Forestry_Brochure_2022_Final.pdf)

We view section 17 of Public Act 22-143 as a mandate to establish a DEEP policy that is specific to state parks and campgrounds (as differentiated from forestry management at state forests). This is one of the main reasons the focus of the legislation is on the utilization of licensed arborists. To the extent this item is designed to exclude portions of a state park or campground that are included in an approved forest management plan, we could probably support that exception to the draft proposal . However, the broad nature of the language of this Item creates an exception too large to properly manage trees in state parks and campgrounds to the standard of a licensed arborist's expertise.

"10. Wildlife and Fisheries management activities – Tree related activities designed to enhance wildlife or fisheries habitat. This policy does not apply to Forest Management activities."

Comment: We support proper wildlife and fisheries management and we acknowledge there may be conflicts between tree removal and proper wildlife and fisheries management. We believe the last sentence was supposed to say, "This policy does not apply to Wildlife and Fisheries management activities" rather than, "This policy does not apply to Forest Management activities."

Again, more precision is required. We suggest, "Wildlife and Fisheries management activities may be excluded from the policy when the Director of the Division of Wildlife or the Director of the Division of Fisheries authorizes the removal of trees associated with wildlife or fisheries habitat enhancement project located in a state park or campground."

Comments on 2.0 – Definitions:
We align our position on this section with the comments of Mr. Hammerling.

In addition, we wish to highlight the definition of a Heritage Tree and of an Extreme Hazard Tree.

The concept of a heritage tree is one that might offer significant utility to management objectives of DEEP for trees in state parks and campgrounds. In the definition section the draft proposal "heritage tree" means, "A tree recognized by DEEP for its unique size, age, historic or cultural significance, or aesthetic or ecological value."

Section 5 draft proposal sets out an entire section on heritage trees providing: "Prior to conducting an inspection as described in section 6.0 of this policy, the DEEP personnel conducting the inspection may review any public input received, and shall follow criteria established in training received, to determine if a tree constitutes a Heritage Tree, unless the tree is determined to be an Extreme Hazard. If the personnel conducting the inspection determines that a Heritage Tree may potentially be a Hazard Tree, an Arborist must be consulted to inspect the tree and provide a recommendation on 1) whether the tree is a Hazard Tree by completing an assessment consistent with the International Society of Arboriculture (ISA) risk assessment standards, and if so, 2) how such hazard may be cost-effectively mitigated. The DEEP personnel conducting the inspection will consider the recommendation of the Arborist and the availability of resources, to determine the mitigation measures that will be implemented. If monitoring is determined to be necessary, DEEP will review recommendations from the Arborist on monitoring frequency and the items to be monitored."

Comment: We believe this section should read that DEEP SHALL rather than "may" review any public input received about a tree being a heritage tree. It seem that if a member of the public makes the effort to identify and recommend that a tree be considered a heritage tree DEEP should at least review that recommendation.

We further suggest that the definition of heritage tree be modified to make licensed arborists the authority for what constitutes a heritage tree. We suggest, "heritage tree" means "A tree recognized by [DEEP] a licensed arborist in consultation with DEEP for its unique size, age, historic or cultural significance, or aesthetic or ecological value."

We also suggest that DEEP empanel a group of licensed arborists to become a Heritage Tree Advisory Committee to develop standards for heritage trees in Connecticut's state parks and campgrounds.

On the issue of the definition of "Extreme Hazard" the definition section proposes that "Extreme Hazard" means "An existing condition that poses imminent harm to people or property and must be addressed immediately."

Comment: This definition is circular in that does not offer any objective standard. Rather the draft proposal just defines "a condition that poses an imminent harm" as an "extreme hazard." A more precise and objective definition should be employed especially because once an extreme hazard exists the policy would allow for the immediate removal of a tree deemed to be an "extreme hazard."

Further, the draft proposal offers no recordkeeping or reporting requirements for trees that are removed because they pose an "extreme hazard" or "a condition that poses an imminent harm." We believe that a record of such tree removals should be maintained, and a photograph of any extreme hazard tree removed from a state park or campground should be taken by DEEP staff or contractor and shared with any member of the public when requested. With the advent of the cell phone and associated cameras it should not be difficult to maintain such a record and will be critical to building trust with the park and campground patrons who care about the trees in their parks and campgrounds.

Comments on Section 9.0 Corrective Actions and Mitigation:
"Natural Diversity Database (NDDB) reviews of planned cuts will be performed as required and necessary actions will be taken to protect plants and animals."

Comment: We believe this sentence needs to be significantly strengthened. It is not enough to preform reviews of potential impacts to state endangered and threatened species as well as species of special concern. We at Audubon have been strong advocates for the federal Recovering America's Wildlife Act (RAWA). If passed, this legislation will provide much needed resources to DEEP's Division of Wildlife. In the meantime, DEEP needs to closely monitor the habitats of the state endangered, threatened and species of special concern.

A full NDDB review and a field inspection for the habitats of any species of greatest conservation need should be undertaken as close in time as is reasonably possible PRIOR to any tree removal on any state park or campground.

Conclusion:
We believe the focus of Senate Bill No. 117 on appointing "an arborist for each state park and campground under the Department of Energy and Environmental Protection's custody and control" to better manage the vegetation in such area is STILL the correct priority. Yet, in order for this necessary level of management and improved transparency to take place additional human resources must be provided.

We ask that DEEP consider expanding the scope of the work provided by its tree removal contractors to include more licensed arborist consultation and greater public outreach prior to tree removal.

Finally, Audubon is participating in the Housatonic Meadows State Park Working Group and we hope everyone can work together to improve how we manage our state parks and campgrounds.

In closing, the National Audubon Society relies upon the enormous generosity of our members and donors to keep our mission going. As a 501(c) not for profit entity the National Audubon Society manages many properties in Connecticut. We make these properties available to the public so that both residents and visitors alike can enjoy birds and an open space experience. These are Connecticut eco-tourism experiences where we provide natural resource and conservation education. The link below provides additional information about our centers, sanctuaries, properties and programs.http://ct.audubon.org/about-us/centers-sancturies-and-chapters

Thank you for the opportunity to present testimony on this proposal. Should you have any questions, please contact Robert LaFrance, Director of Policy, Audubon Connecticut, National Audubon Society, at Robert.LaFrance@Audubon.org (Cell 203.668.6685)

From: Ellery Sinclair
To: DEEP Hazard Trees; Trumble, Mason
Cc: Katherine Freygang; Blake Levitt; Starling Childs
Subject: Bill #238
Date: Saturday, July 16, 2022 5:59:22 PM

Deputy Commissioner Trumbull:

You have placed limitations on Bill (238) so it apparently only affects Heritage Trees. Please study and incorporate Mr. Bennett's critical recommendations (sent to you prior). This entire issue was not due to mismanagement of some Heritage Trees at Housatonic Meadows State Park but largely caused by the unnecessary cutting of many trees inaccurately deemed hazardous but in fact were not a hazard. Again please reconsider State Licensed Arborist Bruce Bennett's recommendations.

Respectfully, Ellery W. Sinclair
Secretary/Treasurer, Berkshire-Litchfield Environmental Council
Manager, TACF Hybrid American Chestnut Orchard

Sent from my iPad

July 17, 2022

To:

The Connecticut Department of Energy and Environmental Protection
79 Elm St.
Hartford, CT 06106-5127

From:

The Berkshire-Litchfield Environmental Council (BLEC)
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BLEC Correspondence to:

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Re: Public Act 22-143, Section 17: DRAFT Hazard Tree Mitigation Policy; and Bill 238.
Comments submitted electronically to: deep.hazardtrees@ct.gov

Dear DEEP,

Thank you for your efforts to improve the state's hazardous tree cutting policy as stipulated in Bill 238.

There are, however, issues that would benefit from expanded definitions of what constitutes hazardous tree cuts, clearer language re: both internal and external review processes, and better lines of reviewing authority, in order to avoid the harvesting travesty that occurred at the Housatonic Meadows State Park in Sharon -- the genesis of this entire effort by citizens, legislators and DEEP alike. DEEP's draft, as currently written, has narrowed the process practically to the point of simply maintaining the status quo which goes against both the intent of the bill and citizen engagement.

Within the draft, there are nods to all of the issues raised throughout these many months of stakeholder collaboration with DEEP but the end product of the draft focuses almost exclusively on Heritage trees rather than include the far more extensive cut that occurred at Housatonic Meadows under what was apparently the sole discretion of one park manager without required sign-off from DEEP's forestry and wildlife divisions. That cut of over 100 trees -- many of which were indeed Heritage -- included no NDDB review despite the well-known presence of nesting bald eagles and other critical wildlife at that site. And surely not all of those trees were even hazardous but were presumed to perhaps "become" hazardous sometime in the future.

There are consequently resulting problems at that site, among which are the steep banks leading directly into the Housatonic River with accompanying runoff issues, as well as observed wildlife disturbance for weeks afterward in violation of both state and federal wildlife protection laws. The absence of tighter review within DEEP and a broader focus than just on solo Heritage trees all but guarantees the same will happen again. Better education of parks managers regarding tree health identification is not enough without better oversight within DEEP when any substantial cut is proposed.

As The Berkshire-Litchfield Environmental Council (BLEC) has communicated to you during the various comment activities, what occurred at Housatonic Meadows was far more than a PR snafu within DEEP. Better posting, signage, local and website notice are good steps – in fact DEEP's forestry division was already excellent at that in several instances in Warren over the last few years. The Heritage tree provisions that included internal and external arborist involvement within the draft are good first steps too. But the draft does not capture the full extent of what happened at Housatonic Meadows and therefore is incomplete to the task at hand. Bill 238 requires a more far-reaching effort from DEEP.

In the least, there should be:

. Mandatory NDDB review required of all hazardous tree cuts (exclusive of extreme designations).

. Request from DEEP to all host towns at the time of Public Notice that such towns provide known local knowledge of the presence of endangered, threatened, and species of special concern that may not be listed in the NDDB.

. Establish a clear line of authority outside of the parks division when a stop-work action would be necessary.

. Create a maximum tree cut limit for all parks managers – perhaps 5-10 trees -- regarding any hazardous designation (exclusive of extreme designations) after which the forestry and wildlife divisions are required to sign off on a proposal and provide project oversight, not just an intra-departmental notice for discretionary comment.

. A requirement that DEEP adopt recommendations by designated licensed arborists and not just "consider" their expert opinion. (Since there has been no additional funding included in Bill 238 for this, DEEP might consider an automatic request for additional funding beyond a set cost analyses.)

The above recommendations would go a long way toward truly fixing the real problems behind what happened at the Housatonic Meadows State Park – the aftermath of which the communities in NW Connecticut will be living with beyond the lifespans of those involved with this effort.

Respectfully Submitted,

Starling W. Childs, President, eecostar@gmail.com

B. Blake Levitt, Communications Director, blakelevit@cs.com

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Comments on DEEP's Draft Hazard Tree Mitigation Policy

On behalf of the Connecticut Forest & Park Association (CFPA), I thank you for the opportunity to comment on DEEP's DRAFT Hazard Tree Mitigation policy for State Parks and campgrounds.

This is a challenging issue to find the right balance, and we appreciate the thought that has gone into developing this Draft policy. The challenge for DEEP, of course, is to ensure public safety by removing trees that may be obvious or extreme hazards to people while leaving the vast majority of trees that are either specifically designated as "Heritage Trees" or are of lesser concern within priority target areas.

We hope, since DEEP will never be able to fully ensure the safety of the public, DEEP employees and volunteers, or contractors working amongst trees with 100% certainty, that this policy is not being primarily driven by concerns about financial/personal liability to the state. Although there have been unfortunate incidents over time where people have been injured or killed by falling trees or limbs, it is unclear whether or not this policy, had it been in place at the time of those tragic situations, might have avoided them. Of course, Connecticut DEEP has a responsibility both to account for public safety AND to ensure that forests are providing for recreation, wildlife, carbon storage, natural aesthetics, and a bevy of ecosystem benefits that trees provide to all of us -- even those trees that under the broad definitions of this policy might be defined as hazardous.

We also appreciate that DEEP's limited staff and financial resources, coupled with your broad mission, can make it difficult to successfully implement any policy. However, we believe this policy represents an important opportunity for DEEP to make improvements in how State Park employees communicate with the public on how public lands are managed professionally.

Following are more specific comments on the Draft Policy:

Section 1.0 of the draft policy does a good job in presenting DEEP's vast acreage/trees, high public usage, and scenarios when this policy would not be applied. It is important to definitively state that this policy does not include forest management, wildlife management, trail maintenance, and responses to various emergency situations. However, it fails to include a more positive statement – as DEEP has mentioned in numerous public forums around this issue – that implementation of this policy has the potential to significantly improve DEEP's connections with local community members and organizations who could presumably gain a greater understanding (and perhaps provide support) related to the issues involved with managing hazardous trees in State Parks and campgrounds.

Section 2.0 defines several terms effectively. However, it must be made clear that these definitions should ONLY be applied to this policy for State Parks and campgrounds to ensure they are not used as the guide for many other

scenarios on public and private lands where trees are managed for various other purposes. There are a few definitions that require additional clarification:

- Defective Tree: This definition is extremely broad since defects can be small or large, be more or less harmful, be natural or caused by people or infestations, etc. The existence of "2 or more defects" is not in itself a clear measure of tree health and vigor, and can be confusing in the context of determining whether a tree is hazardous. We would recommend removing this definition from the policy document because it suggests a quantitative measure for what should be a qualitative decision on tree health.
- Heritage Tree: This is also a very broad definition, and perhaps "unique" isn't the correct word to use. Perhaps "significant" would be better since there will likely be several heritage trees in parks and campgrounds that may have similar significant, but not unique, values.
- Inspection: It would be good to clarify in the definition WHO is qualified to make an inspection under the policy. An arborist? DEEP employees at certain levels properly trained by an arborist? Both?

Section 3.1 is an important place to include the roles and responsibilities for DEEP to conduct outreach to the public (e.g., in the determination of what are Heritage Trees).

Section 4.0 would be good to clarify how the public would know when training in Hazard and Heritage Tree determination has been successfully completed.

Section 5.0 This section may be the most important part of the policy because it involves the opportunity for DEEP to reach-out to local stakeholders to identify Heritage Trees. This section should include guidance to encourage Park Supervisors to work with local Friends groups and other natural partners to take this important step. As noted earlier, it would also be helpful to have a more substantive definition of what might be classified as a Heritage Tree. Perhaps there is an example or two of "This is a Heritage Tree unless …" and "This is not a Heritage Tree unless …" that could be added to provide some guidance? Small point, but there are two references to Table 5.1 here which I believe are supposed to reference Table 6.1.

Section 6.0 This section lays out what seems to be a solid process, however, once again DEEP should specify who is qualified to do inspections (e.g. Park Supervisors trained by arborists, etc.) and what kind of training they are required to receive before conducting inspections. Training is such a critical and ongoing component of the successful implementation of this policy that there should probably be a section added to the policy dedicated to it.

Section 8.0 This is also a critical element of the policy because it deals with DEEP's opportunity to facilitate further public information/education and engagement on this topic. I am concerned that passively posting information on the DEEP website about hazard tree mitigation actions is not likely to be interactive enough to provide timely information to interested members of the public. A listserve, public notices through CEQ, or another way that members of the public might sign-up to receive timely notices would be an important addition. It is good to know that a point of contact will be identified for members of the public to ask questions or express concerns before a hazard tree mitigation action.

Section 9.0 It is unnecessarily limiting to only request "cost effective" mitigation recommendations from arborists related to actions that might be taken to sustain Heritage Trees. Of course cost is a factor, but DEEP should hear the full range of mitigation options from the Arborist and not only those that are "cost-effective."

Section 10.0 The tone of this section comes across as very negative. DEEP must have some examples of developed/target areas where tree replanting may be an option that could be undertaken by DEEP without needing a non-profit partner.

DEEP suggests throughout the policy that the costs associated with hazard tree mitigation, retaining Heritage Trees, and replanting in special cases are high. DEEP should document the costs associated with implementing this policy – training staff, contracting with arborists and appropriate outside contractors, administrative requirements, communications with the public, etc. – and revisit this policy in 3-4 years to evaluate how it is working. This may help make the case for any additional staff and other resources that may be required to ensure successful implementation.

Thank you for the opportunity offer these comments on your draft policy, and I am glad to respond to any questions you may have.

Sincerely,

Eric Hammerling, Executive Director
Connecticut Forest & Park Association (CFPA)

From: H Cunnick
To: DEEP Hazard Trees
Subject: DEEP Hazard Tree Mitigation Poiicy
Date: Sunday, July 17, 2022 2:20:34 PM

To whom it may concern:

I am writing in support of comments already sent by Bruce Bennett in which he states:

> DEEP has have effectively minimized the effect with the required inhouse policy that they have proposed. They have limited their policy to cover **"Heritage trees" ONLY!**
> If you read the document carefully see (article 5.0) it speaks only of Heritage trees that will require a consulting arborist. The remaining trees are still evaluated by untrained DEEP personnel.
> I urge you to request that they change article 5.0 designation to include **all target trees** (trees that are within striking distance of significant public occupation) as well as heritage trees in that description. This change will satisfy the true intent that you enacted in the legislation at the end of the last session. 5.0 Target trees.

I also urge the changes to article 5.0 Bruce (our spokesperson) has outlined.

Thank you,
Heidi Cunnick
Ecologist and Earth and Environmental Scientist, PhD

From: Michael Nadeau
To: DEEP Hazard Trees
Subject: Draft Policy
Date: Monday, July 18, 2022 9:41:36 AM

Dear DEEP Employees:

I am Michael Nadeau, a member of the Housatonic Meadows Preservation Action group (HMPA). I have been involved with the tree removal incident since last fall and have appeared on both CEQ and DEEP Zoom and in-person meetings. I am writing to voice my disappointment and opposition to your Draft Hazard Tree policy.

Arborists: HMPA has repeatedly stressed the need for an arborist with specialized training with hazard tree identification and mitigation, such as is offered by ISA TRAQ training. This essential request has so far gone unheeded. As a retired CT Arborist for over 40 years, I know first-hand that arborist training alone is inadequate. TRAQ certification is not difficult or costly to obtain, but can provide the arborist with the training and criteria needed to best serve our parks and forests.

Public Notification: HMPA has stressed the need for greatly improved communication between DEEP and the public. A notice on a tree off the beaten path and notification on an onerous government website is not an improvement. We have specified that the town First Selectmen be notified so they can disseminate the information to the public is a more visible fashion. Again, this is not a difficult or costly request and we urge you to show you are willing to communicate more openly with the public by enacting this request.

Replanting: It is unconscionable that the legislature did not provide funding for their mandate to replace trees removed. Although I agree that in certain interior forest situations tree replacement is unnecessary, it is most important to replace trees where ecological and aesthetic concerns are prominent. As foresters you know a sapling can be protected with a stake and trunk sleeve until the tree grows above the browse line. Or, in certain incidences larger trees can be utilized and cared for in the same manner. Volunteer help to provide ongoing care for newly planted trees is mentioned in the draft policy. This would be a good way for DEEP to engage the public to ensure buy-in for the health of our trees.

In closing, I am compelled to state my disappointment with the procedures that require so much time and energy to implement best practices, only to end up with a grossly watered down version of a policy that has no teeth to compel it and no real change from the status quo. It is my hope that this public outcry for a better, more inclusive, policy is heeded by those of you at DEEP that are entrusted with the care of our trees. In a sense the public are your bosses – you work for the *public* through your actions with our forests and parks. Please be sensitive and proactive with our essential requests for a better Hazard Tree Policy.

Respectfully,

Michael E. Nadeau, HMPA
Sharon, CT
CT Arborist/Custom Grounds Supervisor S-2878 (Retired)

Sent from Mail for Windows

From: Jaim Longhi
To: DEEP Hazard Trees
Subject: Hazard Tree Mitigation Policy
Date: Sunday, July 17, 2022 11:59:55 PM

Commissioner Mason Tumble and other DEEP officials;

I write in support of the letters sent to you by Bruce Bennett, and Blake Levitt, among others, to change article 5.0 designation to include **all target trees** (trees that are within striking distance of significant public occupation)
as well as heritage trees in that description.

Also, any arborist who will define which trees are hazard, and which are "heritage" must be required to have received
training and accreditation known as TRAQ (Tree Risk Assessment Qualification) from an ISA professional.

Respectfully,

Jaim Longhi
HMPA

From: Starling Childs
To: DEEP Hazard Trees
Subject: Hazard tree policy
Date: Sunday, July 17, 2022 9:57:15 AM

To the DEEP hazard tree policy
Committee.

I was discouraged by the lack of a more thorough and holistic approach to the challenges of managing the trees and forested areas of our CT state parks.

While clearly the inclusion of consultation and hazard designation by a licensed arborist is desirable and should have been standard procedure, there is no mention of the standards to which the professional is bound such as the International Society of Arborists(ISA) checklist for tree care and analysis.

Furthermore, heritage tree designation needs to be better defined and expanded to include trees that through proper care and nurture can grow into Heritage Trees. How the designation of Heritage trees did not exist heretofore is surprisingly disappointing. Given that we are going there now, I would suggest it requires a broader assessment than just structural integrity of trees. Any larger tree removal program must include comments and review by all departments at DEEP such that wildlife values, ecosystem services, and even forest product analysis is included. It's one thing to summarily remove mature trees holding a riverbank in place and serving as osprey and eagle perches, but not also making good faith efforts to more permanently fix or utilize the carbon compounds and fiber in their tissues is also an abrogation of responsibility. I'd like to think some of the large oak and pine stems harvested at Housatonic Meadows found their way to construction materials or better, but a forestry professional could have overseen that utilization strategy better.

I recognize that there are costs associated with this policy that have not been appropriated for, but the wholesale removal of trees almost Willy Billy also involved significant costs and energy consumption that somehow was paid out of Parks or other strained DEEP coffers. Maybe a more transparent process of weighing the options for management and related estimates of expenses involved should be better fleshed out in this policy statement regarding costs and the decision as to whether maintaining a tree versus removal is a better option.

Those are just some of my initial thoughts on how this policy needs to be broader and more holistically applied using all of any tree's ecological, aesthetic, cultural, and valuation attributes in the decision matrix.

Thank you for the opportunity to weigh in at the last minute here.

Appreciatively,

Star Childs, MFS
Norfolk CT 06058

CT Forester F 001288

Sent from my iPhone

Regarding Hazard Tree Mitigation Process by DEEP

To whom it may concern:

Thank you for all the attention given to the issue of hazard tree mitigation, however I am very discouraged by the turn this has taken. There is a serious issue going on in Connecticut of trees being contracted for removal without preliminary evaluation of their health including safety and ecological value. Citizen action is the last recourse to preserve trees, and in this case, the needless cutting of 24 Century Oaks designated by a park manager with no education in arbor-culture initiated the Housatonic Meadows Preservation Action group. The discussion with DEEP has maintained the headings of Arborists, Notification and Replanting, but we specifically and consistently called for ISA TRAQ training as qualification, transparency using the local government and newspaper, and restoration to replace trees and ecological value. What we are getting is even less accountability and stewardship from DEEP turning to a more limited category, "Heritage" trees with public notice that is merely a sign and a notification buried in a website, and the ambiguous "consideration" for replanting. We have delivered specific recommendations as to training needs, effective communication and restoration techniques such as succession planting. The draft policy mostly emphasizes the need for "additional resources" when current resources should be better managed. A contract for $106,000 to cut down healthy trees before any authorized hazardous tree designation is beyond my understanding. And given the current climate disturbances, why aren't trees being preserved, new trees planted, and carbon storage being calculated?

I believe there are serious issues at stake here and that this policy has been revised to get more funding without addressing the misuses that got us here in the first place. That's discouraging. Expecting "non-profits" to assist but then to overrule with poor decisions, is totally wasteful. Why are offers of private donations being ignored? This policy draft exhibits no attempt to improve stewardship quality. It requests funding while reducing the uses for that funding. It is a step backward.

Please note however, as we work through the restoration process of Housatonic Meadows State Park with DEEP employees on the ground, we are achieving a new level of cooperation. Trust is being built with combined expertise and goodwill. I am fully appreciative of these employees. However, this Hazard Tree Mitigation Policy is not supporting them or our collaboration either.

Respectfully submitted,
Katherine Freygang
Housatonic Meadows Preservation Action
Restoration Representative

As Noam Chomsky said: "The smart way to keep people passive and obedient is to strictly limit the spectrum of acceptable opinion, but allow very lively debate within that spectrum — even encourage the more critical and dissident views. That gives people the sense that there's free thinking going on, while all the time the presuppositions of the system are being reinforced by the limits put on the range of the debate."

From: Anne Zinsser
To: DEEP Hazard Trees
Subject: I Support Bruce Bannet
Date: Monday, July 18, 2022 7:07:36 AM

I support his changes - Anne Zinsser, West Cornwall

Sent from my iPad

DEEP/Parks

I have done some rereading of DEEP's proposed new working policy regarding 'hazard trees'.

From DEEP/Parks:
'The Act requires the Policy to provide for the provisions for:

A) [t]he maintenance of public safety,

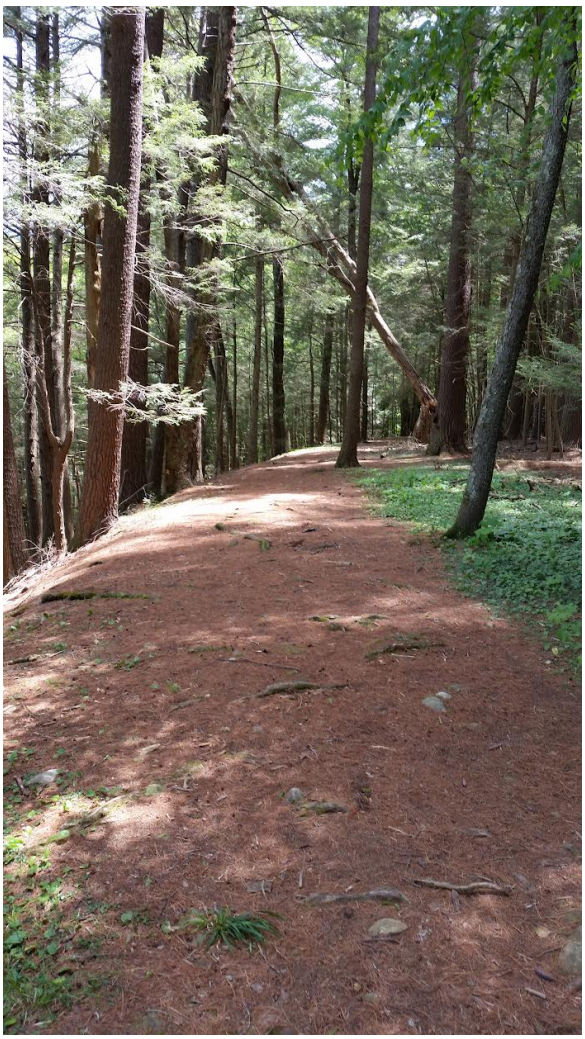
C) practices for transparency and public engagement in the process of [hazard tree management]'

My comments:
As a daily user of Housatonic Meadows, there currently is **no immediate method** to alert the Park staff of active danger from hazard trees. Please see a real life example from my emails and photos below [next 3 pages]:

Michael Moschen <mmoschen@gmail.com>
Jul 8, 2022, 1:00 PM
to deep.stateparks

DEEP/PARKS,
I hike the Housatonic Meadows Trail every day.
Today, July 8th, I saw a NEW Dangerous Tree at location below.
See photos below.

I reported this to the attendant at the Housatonic Meadows Campground at 12:30 today.



41°49'28.7"N 73°22'30.1"W

Michael Moschen <mmoschen@gmail.com>
Sat, Jul 9, 10:02 AM
to deep.stateparks

DEEP/Parks,

Thank You for responding to this potential danger on this hiking trail.
I look forward to the final remediation of this in the future.
- Michael Moschen

DEEP / Parks,
Thank You for your efforts to alleviate the safety issues with the NEW Hazard Tree at Housatonic Meadows Park.
- Michael Moschen

continued

A) [t]he maintenance of public safety,'
(C) practices for transparency and public engagement in the process of [hazard tree management]'

My comments (continued):

My initial email to DEEP/Parks [Jul 8, 2022, 1:00 PM] regarding the NEW hazard tree, happened at 1pm.

- On that day, July 8, I hiked that trail at 8 am [with my dog] and again at noon.
- At 8 am - *there was no manifestation* of the 'hazard tree'.
- *The hazard [broken trunk] happened between 8 am and noon.*
- At noon, upon recognizing the 'hazard tree' I bushwhacked well around it.
- *At 12:15 approx., I saw a man walking his dog - walking right underneath the hazard tree!* [I tried to warn him off, - but my dog was barking]
- I had to drive to the Housatonic Meadows Campground to report this NEW 'active hazard tree'. I then went home and emailed it to DEEP/Parks.
- This happened in the lead up to a summer weekend - the busiest time for usage by hikers.

If DEEP/Parks wants to partner with the public, (A) + (C) above,
there should be a much better way to report, in real time, the emergence of any safety issue such as this. [the campground is only open in the summer months].

Thank You,
Michael Moschen

From: Michael Moschen
To: DEEP Hazard Trees
Subject: Public Comment
Date: Friday, July 15, 2022 5:13:41 PM

DEEP/Parks,
I hike in Housatonic Meadows every day.
I recently reported an NEW active hazard tree on a well used trail to DEEP/Parks.

I fully support Bruce Bennet's comments on the newly proposed Hazard Tree Mitigation Policy.

- I am disappointed by the limitations expressed in the current proposed policy and support Bruce Bennett's changes.
- I also feel that the designation of heritage trees limits DEEP's responsibility of forest stewardship to levels that are not adequate.
-All trees should be designated by a fully trained ISA arborist using the current ISA protocol checklist.

Thank You,
Michael Moschen

From: Masino, Susan A.
To: DEEP Hazard Trees
Subject: Re: Public Act 22-143, Section 17: DRAFT Hazard Tree Mitigation Policy; and Bill 238.
Date: Sunday, July 17, 2022 11:47:59 PM

Dear DEEP Hazard Trees,

I am requesting additional time to send comments, and additional public notice on this comment period. There was much-too-short window for comments - mid summer, when many people are away.

Although this is a statewide policy it is unclear how most of the state would have known about it. I can attest that many many people care deeply about our natural environment and the public needs much more transparency about what is going on where and why.

At this time there is a lot of money allocated to well-being and infrastructure via ARPA and the infrastructure bill. This money should be used to develop sincere and science-based policies that protect the public good and the public trust. This is a critical juncture because the main impetus for this policy is preventing accidents and protecting the public trust.

At the very least this process should be extended, and better public notice should be a cornerstone of this policy.

Respectfully submitted,

Susan Masino, Ph.D.

41 Madison Ln

West Simsbury, CT 06092

From: Bruce Bennett
To: DEEP Hazard Trees; Trumble, Mason; Maria Rep. Horn
Cc: Kate freygang; men@michaelnadeau.org; Deb Bennett
Subject: Suggestions and comments for the Hazard Tree Mitigation Policy
Date: Thursday, July 14, 2022 10:24:18 AM

To Whom it may concern,

Commissioner Mason Tumble,

Thank you for the effort that has gone into this draft for the hazard tree assessment and the follow up action. I have several suggestions to add to or change in the draft. I am especially interested in requiring the arborist, rather inhouse or hired, to attend and pass the ISA accreditation for hazard tree assessment. You have mentioned that the process includes utilization of the ISA "Tree Risk Assessment" process, but you do not require that training and accreditation known as TRAQ (Tree Risk Assessment Qualification) from an ISA professional. This is critically important.

I have been a Tree Warden in the Town of Kent for about 38 years and a founding member of the TWAC. (Tree Warden Association of Ct.) I wrote the Tree Warden manual with Robert Ricard to educate the members about the State laws governing our responsibilities. Being a Tree Warden, analyzing hazard trees is a significant part of my job. I am also a Ct licensed arborist S-0826 . I have recently taken the ISA class and exam concerning hazard tree rick assessment and found that my experience and knowledge was totally inadequate for truly assessing a hazard tree. Even though I had previously used the form provided by the ISA to determine a hazard tree, the method for providing the information to reach the correct result, was incorrectly followed. I was embarrassed when I realized my errors. I know that I had misdiagnosed many trees over the 38 years of my tenure. With this knowledge, I urge you to require this accreditation for both inhouse personnel and any Ct licensed arborist that DEEP will hire to accomplish the mitigation policy. ISA will train anyone that holds a Ct Arborist License.

Following are my suggestions:

1.0 Purpose

Suggested change or additions:

9. Forestry Management

Heritage and target tree designation should be included in any forestry management project. (See 5.0) With the amount of people hiking in the state forest and on the forest roads, there is reason to apply the policy to those areas immediately along those roads. Beyond that, they are no longer "Target Trees".

2.0 Definitions

Suggested change or additions:

Certified Arborist: a person holding an active license as defined in Section 23-61a of the Ct General Statutes **with an TRAQ accreditation from the ISA for hazard tree assessment.**

Heritage and target tree: A tree recognized by DEEP for its target potential or its' unique size, age, historic or cultural significance, or aesthetic or ecological value . (See 5.0)

4.0 ISA Training:

Suggested change or additions:

All training should be done by an **ISA instructor proficient in hazard tree assessment protocol.**

5.0 Heritage and Target Tree Designation:

Suggested change or additions:

The term "Heritage" is arbitrary and cultural rather than physiological**.** The Heritage designation alone will all but eliminate 99% of the trees in our parks. A heritage tree is described as "**a large individual tree with unique value which is considered irreplaceable"** Very few trees fulfill this description and disregards the purpose of the policy. The trees under this policy should be "**all trees that have a target**". My concern about limiting this policy to such a small group of Heritage trees increases the potential removal of any healthy tree with marginal justification resulting in the loss of the ecological benefit that all trees provide. The term "target tree" would include only trees that can be listed as potentially hazard trees. It establishes a limit to the number of trees involved in the policy but deals directly with the safety issue. I propose that 5.0 state the Following : **Heritage and Target Tree Designation.** Please seriously consider this request.

6.0 Inspections:

(End of the third inspection paragraph) **"Facility supervisors will determine corrective actions for hazard trees that are not heritage trees"**. There will be a lot of trees that are **obviously a hazard** and will not require an expert to make a decision. Adding a clarification line to this article requiring the supervisor to" request analysis by a qualified/certified arborist if the tree is a not obviously a hazard tree" would satisfy the "Target Tree Designation Policy". Dead tree, hanging branches, visible cracks, etc…. are obvious defects that will require immediate remediation.

8.0 Signage and Notification

Suggested change or additions:

In "External notification" Please add the following:

1. First Selectman of the town in which the action will occur. (They have the systems to notify the whole community)
2. Tree Warden of the town in which the action will occur.

10.o Replanting

Suggested change or additions:

Tree replacement is a critical part of removal process. DEEP needs to arrange for a Ct nursery or regional VO AG school to grow a limited list and number of native trees at a reduce cost. The limited numbers of trees contracted each year should be designated to areas of critical need. This will satisfy the public desire to have trees replaced at a consistent level that can conform to DEEP's budget. Volunteer organizations should be

a secondary source for replacement trees.

Regards,

Regards,

Bruce Bennett
107 Cream Hill Rd. 06796
West Cornwall, Ct
Cell 860-898-0600
bbennett@rockwoodfarm.net

To: The Department of Energy and Environmental Protection
From: Chris Donnelly
Regarding: the Draft Hazard Tree Mitigation Policy
Date: July 17, 2022

Thank you for the opportunity to comment on the Draft Hazard Tree Mitigation Policy. I see in this proposed policy a good faith effort to address the concerns raised regarding DEEP's management of potentially hazardous trees on DEEP lands. For the most part, it does set out clear procedures to be followed. At the same time, I see areas where the proposal can be improved. Some have to do with details of the proposed procedures themselves. Others have to do with a lack specificity as to the overall intent of the policy – a clear statement of purpose and intent as to what this policy will achieve.

Before addressing those items, however, I have something that I would like to point out. In the opening paragraph, the document states that this policy is being developed to "apply to the designation, removal and mitigation of trees located in state parks and campgrounds that are determined to be hazardous by DEEP personnel."

I understand that this language comes directly from PA 22-143 and that DEEP is proposing this policy based on this public act. However, in the context of the public concerns that led to this provision in the public act, this goal, of setting policy for what to do with trees that have been determined to be hazardous, seems to miss a step. As I understand the public commentary, the question was not so much about what DEEP did with trees that are truly hazardous but rather how it is that so many of these trees, or that certain specific trees, were determined to be hazardous in the first place.

This is an important distinction in that, once a tree is determined to be hazardous, DEEP is essentially committed to take action, which in many cases will mean the removal of the tree. I would assume that it would be difficult, from a concern for liability perspective, to take back a hazardous designation once it is made, even if it later appears that the designation was not necessary.

This is important with respect to the context for this policy proposal. Having said all of that, however, it does appear to me that the agency in this proposed policy is providing a reasonable approach as to how trees may be determined to be hazardous. Language questions aside (I am coming to that), that is good. With the exception of so-called "Heritage Trees", this policy only minimally discusses the approaches to be taken once a tree has been determined to be a hazard. That is probably also good, as so much of what could be done with regards to any individual tree so determined must depend upon local circumstances. The important thing is that trees that are truly hazardous must be dealt with.

The Inspection Process

This policy establishes that it is DEEP personnel that shall be responsible for the management of the trees on the DEEP-managed properties. That is an important provision. The State of Connecticut has shown itself over the years to be a good steward of the public lands for which it is responsible, in large part because the various state entities over the decades have fostered staff members who are closely connected with and dedicated to these properties and the assets on these properties, including trees.

The policy also makes clear that those DEEP personnel – Facility Supervisors and Facility and Program Personnel – will be given the additional training that they will need in order to properly inspect these trees. That this training will become a required part of their jobs is very positive. I applaud the inclusion

of this requirement in the draft of statement of policy. Recognizing the importance of the role of staff members and so empowering them to do their jobs right is central to managing these properties properly. It is critical that this policy emphasis the importance of training so that staff can do their jobs well. The quality of this training and the appropriateness of its content are also huge factors. I will come back to this.

A description as to how Inspections would work is given in Section 6.0. One suggestion I have for this section is that there be more specificity as to what is meant by an inspection, stated in terms of who is considered as able to inspect a tree for the purposes of this policy. The section appears to imply that inspections are something to be done by members of DEEP staff who have been appropriately trained and authorized. Other staff members are encouraged to call to the attention of such qualified personnel trees that might be of concern. A bit more clarity on this point and how it is supposed to work would be helpful.

For example, in this section, something called a "hazard tree mitigation project" is mentioned. The words are not capitalized and the term is not included in the definitions. However, it does lead one to wonder if this is a term meant to refer to a formal activity or if this referring to something that might occur as part of routine maintenance. In other words, whenever something is done in order to mitigate the problems associated with a hazard tree (the tree is removed, it is salvaged somehow or, perhaps, a parking area is closed off) is this considered to be a hazard tree mitigation project? Or, is this meant to indicate a separate type of activity?

This section also makes it clear that it is trees near to Target Areas that are being discussed. Trees away from trails, buildings, parking areas, etc. are not a part of this inspection process and, as there is no defined target that these trees might strike, are presumably not considered as a part of this policy. The descriptions of the Target Areas themselves and of Hazard Potential Rating Target Areas strikes me as a bit legalistic but have been determined to be necessary as part of the way to set priorities. While that approach appears to be reasonable, it might need to pass the test of time before it can be determined to be the best approach.

I do find the draft policy descriptions of the various types of inspections to be a bit convoluted. The basic gist of this section does appear to be fairly straightforward. Trees near those Target Areas in DEEP properties that are subject to greater use will be inspected more often. Also, any action to be taken in these areas will call for greater review first, with the exception of those trees that need immediate attention. That sound reasonable.

Training, Language and Methodology

As mentioned, the establishment of a need for training is, in my view, the critical feature of this policy. The training, of course, must align with the approach to determining hazardous trees as outlined in the policy. This is an area in which I have some further comments. Primarily, I am concerned as to whether the approach that DEEP has selected for determining what makes a tree a hazardous tree is fully lined up with the current professional approach.

The approach taken by this policy relies heavily on the concepts of hazardous trees, defective trees and tree defects. I agree that there is a clear logic to this approach, as well as certain amount of history

behind the use of these terms. At the same time, recent advances in tree care have tended to move past the narrow confines of this approach, making it somewhat outdated. Let me explain.

The concept of tree defects is fundamental to the approach outlined in the policy. A Hazardous Tree defined as a "defective tree that is within striking distance of a Target", a Defective Tree is defined as "a tree with one or more defects" and a defect is defined as a "visible sign that a tree or a part of a tree is failing or has the potential to fail, including any structural weakness or deformity in the tree's branches, stem or root system."

As a result, in inspecting trees, this suggests that inspectors will be encouraged primarily to take note of defects and then score these trees based on the number and severity of these defects, as well as on the potential targets.

This lines up with past methodologies promoted by International Society of Arboriculture (ISA) and other organizations. I have attached two ISA forms to help illustrate the point I am attempting to make. One is entitled "Tree Hazard Evaluation Form". It is the older form, now largely superseded by the second form, entitled the "Basic Tree Risk Assessment Form". This second form has been created to assist in assessments being done by Tree Risk Assessment Qualified (TRAQ) arborists.

Before going into these forms, however, there is another important point to make. Both of these forms use the word "defect". This is an interesting word to use in this context. A defect is something often associated with manufactured items or when objects are being considered in terms of their ability to meet some human need. Products are said to have defects when they fail to match up with the standards set for that product. Thus, a car may have defective brakes and a law that is passed but has problems might be considered a defective law.

However, trees are not products. They are living things growing, as best as they can, in the environmental conditions in which they find themselves. Indeed, each tree can be considered as an individual representation of how that species responds to the local environment.

Over the eons, trees have evolved a variety of mechanisms to deal with threats to their physiological and structural integrity. A tree struck by lightning, for instance, or one that has had a branch sheared off by its neighbor falling in the forest, may develop a decay pocket as part of the process of walling off the part of its structural anatomy that has been affected by the injury. At the same time, it is also likely to be in the process of growing new, supportive wood to compensate for the loss of functional tissue due to the injury it has sustained.

Anyone giving such a tree a full assessment would have to consider many factors, including the health and vigor of the tree, the past and present influences of the local environment and the specific injuries or damaged sustained by the tree. This can get much more complicated than just taking note of the past scars that show on the tree. From this perspective, this decay pocket is not a defect in the tree but rather, along with the growth of new wood, a part of the tree's natural response to injury and, if this response is progressing well, an indication of tree's health and ability to handle the challenges of its environment.

This sort of perspective is one that is very natural for an arborist. As such, this sort of perspective can be considered as being implicit in the use of a term such as "defect" on these forms. It is worth pointing

that, when such terms are used by others who are not arborists, some of these more subtle connotations may be missed.

To get back to the forms – the Tree Hazard Evaluation Form allowed the user to come with a Hazard Rating for the tree. This rating was in the form of a number that included 3 components – the failure potential of a part of the tree, the size of this tree part and a target rating. Essentially, when trees had large pieces of themselves that were considered as likely to fail and to hit people or damage property, then it received a high hazard rating.

This rating system has been superseded for a variety of reasons, including that the tendency to overly value the contribution of large parts to the overall score. When large tree parts have "defects", the numerical contribution of their size tended to overshadow both the likelihood of their failure and their target rating. Also, by being numeric, this approach tended to convey a sense of mathematical certainty to the results, as well as providing a false ability to compare trees relative to one another in terms of their hazard rating. All of this tended to obscure what is the major point – that all of these ratings are, in the end, judgement calls made by the assessor and based on his or her knowledge, experience and best understanding of the situation.

Associated with these other concerns was a growing sense that using numbers rather than the judgment of the assessors to guide decisions was potentially leading to too many trees being taken down.

Part of the reason for this situation is semantic. The ratings given to these trees were "hazard ratings". As I mentioned earlier, determining a tree to be hazardous basically means that action is required – often serious action, such as the removal of the tree. When a numerical hazard rating is used, it naturally leads to the establishment of some sort of categorical line – above this line, a tree is a hazard, below this line, it is not. While this sort of yes/no approach may be efficient for terms of guiding decision making, it is not necessarily the most effective way to guide tree management approaches.

The second form uses on approach based on risk assessment rather than hazard determination. This approach recognizes the obvious – that all trees present some risk as long as people and/or structures are near to these trees. More importantly, this approach underscores that the approach being taken is one that is based on qualitative, as opposed to quantitative, judgments and that additional observations made in the course of inspecting this tree, such as the tree's response to wounding, are also key factors to be considered in the assessment.

Along with establishing this revised approach, ISA also set up a program of establishing the qualifications needed by a tree assessor in order to properly use this form. For this reason, I would not suggest that DEEP simply adopt the ISA tree risk assessment approach. However, I do think that there are certain aspects of this risk tree management approach that DEEP could adopt and should be adopted as part of its trainings. These would include the importance of considering the tree holistically, including making observations about the health of the tree and of its response to wounds and other conditions that might be influencing its structural stability. It would also include a careful assessment of the local conditions around the tree – those aspects of the nearby environment that might be factors that could influence whether or not a tree is apt to fail and strike something. It should also include an emphasis on mitigation and active management including management to potentially reduce the likelihood that a tree will become a greater problem in the future.

Just to complete this overview, there are 3 elements to be considered as a part of a tree risk assessment:

1. The likelihood of a tree or a significant part of the tree to fail
2. The likelihood, should that tree or tree part fail, to hit a target, and
3. Regardless of the likelihood of the previous two happening, if the tree or tree part should fail and hit a target, what is the potential severity of the injury or damage caused.

These three elements are laid out in a "likelihood matrix" included on the form.

My bottom line - I would suggest that an approach based on risk assessment and with a focus on these three elements along with a consideration of various forms of mitigation and the value of early intervention to prevent future problems could serve as the basis of the training to be given to DEEP personnel.

A Final Note on Specificity

At the start I stated that this document could be more specific at various points. I have in mind primarily the first section where the purpose of the proposed policy is outlined. This section talks about the importance of the parks and other state lands. It also mentions the obligation placed on the agency by the legislature. A fairly extensive listing of what this policy does not cover is also included.

What I find missing is a clear summary of the specific purpose of this policy is, in terms of what the agency intends from this policy. There is no listing of the anticipated outcomes from this policy or of the goals that are its underlayment. In my view, policies are best when they are intentional. It should be made clear what the reasons are for a policy such as this to exist.

That would be my final recommendation – that some sort of positive and proactive statement of the purpose for this policy be included. Among the advantages of this sort of statement of purpose is the ability to take this discussion beyond the immediate context of the events that led to the development of this policy and move it towards a better understanding of and increased support for the mission of the agency regarding these public lands.

Respectfully submitted,

Chris Donnelly
7/17/2022

A Photographic Guide to the Evaluation of Hazard Trees in Urban Areas

TREE HAZARD EVALUATION FORM 2nd Edition

Site/Address: _____

Map/Location: _____

Owner: public _____ private _____ unknown _____ other _____

Date: _____ Inspector: _____

Date of last inspection: _____

HAZARD RATING:

_____ + _____ + _____ = _____

Failure Potential + Size of part + Target Rating = Hazard Rating

_____ Immediate action needed

_____ Needs further inspection

_____ Dead tree

TREE CHARACTERISTICS

Tree #: _____ **Species:** _____

DBH: _____ **# of trunks:** _____ **Height:** _____ **Spread:** _____

Form: ☐ generally symmetric ☐ minor asymmetry ☐ major asymmetry ☐ stump sprout ☐ stag-headed

Crown class: ☐ dominant ☐ co-dominant ☐ intermediate ☐ suppressed

Live crown ratio: _____ % **Age class:** ☐ young ☐ semi-mature ☐ mature ☐ over-mature/senescent

Pruning history: ☐ crown cleaned ☐ excessively thinned ☐ topped ☐ crown raised ☐ pollarded ☐ crown reduced ☐ flush cuts ☐ cabled/braced ☐ none ☐ multiple pruning events Approx. dates: _____

Special Value: ☐ specimen ☐ heritage/historic ☐ wildlife ☐ unusual ☐ street tree ☐ screen ☐ shade ☐ indigenous ☐ protected by gov. agency

TREE HEALTH

Foliage color: ☐ normal ☐ chlorotic ☐ necrotic **Epicormics?** Y N

Foliage density: ☐ normal ☐ sparse **Leaf size:** ☐ normal ☐ small

Annual shoot growth: ☐ excellent ☐ average ☐ poor **Twig Dieback?** Y N

Woundwood development: ☐ excellent ☐ average ☐ poor ☐ none

Vigor class: ☐ excellent ☐ average ☐ fair ☐ poor

Growth obstructions:

☐ stakes ☐ wire/ties ☐ signs ☐ cables

☐ curb/pavement ☐ guards

☐ other _____

Major pests/diseases: _____

SITE CONDITIONS

Site Character: ☐ residence ☐ commercial ☐ industrial ☐ park ☐ open space ☐ natural ☐ woodland\forest

Landscape type: ☐ parkway ☐ raised bed ☐ container ☐ mound ☐ lawn ☐ shrub border ☐ wind break

Irrigation: ☐ none ☐ adequate ☐ inadequate ☐ excessive ☐ trunk wettled

Recent site disturbance? Y N ☐ construction ☐ soil disturbance ☐ grade change ☐ line clearing ☐ site clearing

% dripline paved: 0% 10-25% 25-50% 50-75% 75-100% **Pavement lifted?** Y N

% dripline w/ fill soil: 0% 10-25% 25-50% 50-75% 75-100%

% dripline grade lowered: 0% 10-25% 25-50% 50-75% 75-100%

Soil problems: ☐ drainage ☐ shallow ☐ compacted ☐ droughty ☐ saline ☐ alkaline ☐ acidic ☐ small volume ☐ disease center ☐ history of fail ☐ clay ☐ expansive ☐ slope _____° aspect: _____

Obstructions: ☐ lights ☐ signage ☐ line-of-sight ☐ view ☐ overhead lines ☐ underground utilities ☐ traffic ☐ adjacent veg. ☐ _____

Exposure to wind: ☐ single tree ☐ below canopy ☐ above canopy ☐ recently exposed ☐ windward, canopy edge ☐ area prone to windthrow

Prevailing wind direction: _____ Occurrence of snow/ice storms ☐ never ☐ seldom ☐ regularly

TARGET

Use Under Tree: ☐ building ☐ parking ☐ traffic ☐ pedestrian ☐ recreation ☐ landscape ☐ hardscape ☐ small features ☐ utility lines

Can target be moved? Y N **Can use be restricted?** Y N

Occupancy: ☐ occasional use ☐ intermittent use ☐ frequent use ☐ constant use

TREE DEFECTS

ROOT DEFECTS:

Suspect root rot: Y N **Mushroom/conk/bracket present:** Y N **ID:** _____

Exposed roots: ☐ severe ☐ moderate ☐ low **Undermined:** ☐ severe ☐ moderate ☐ low

Root pruned: _____ distance from trunk **Root area affected:** _____% **Buttress wounded:** Y N **When:** _____

Restricted root area: ☐ severe ☐ moderate ☐ low **Potential for root failure:** ☐ severe ☐ moderate ☐ low

LEAN: _____ deg. from vertical ☐ natural ☐ unnatural ☐ self-corrected **Soil heaving:** Y N

Decay in plane of lean: Y N **Roots broken** Y N **Soil cracking:** Y N

Compounding factors: _____ **Lean severity:** ☐ severe ☐ moderate ☐ low

CROWN DEFECTS: Indicate presence of individual defects and rate their severity (s = severe, m = moderate, l = low)

DEFECT	ROOT CROWN	TRUNK	SCAFFOLDS	BRANCHES
Poor taper				
Bow, sweep				
Codominants/forks				
Multiple attachments				
Included bark				
Excessive end weight				
Cracks/splits				
Hangers				
Girdling				
Wounds/seam				
Decay				
Cavity				
Conks/mushrooms/bracket				
Bleeding/sap flow				
Loose/cracked bark				
Nesting hole/bee hive				
Deadwood/stubs				
Borers/termites/ants				
Cankers/galls/burls				
Previous failure				

HAZARD RATING

Tree part most likely to fail: _____

Inspection period: _____ annual _____ biannual _____ other _____

Failure Potential + Size of Part + Target Rating = Hazard Rating

_____ + _____ + _____ = _____

Failure potential: 1 - low; 2 - medium; 3 - high; 4 - severe

Size of part: 1 - <6″ (15 cm); 2 - 6-18″ (15-45 cm); 3 - 18-30″ (45-75 cm); 4 - >30″ (75 cm)

Target rating: 1 - occasional use; 2 intermittent use; 3 - frequent use; 4 - constant use

HAZARD ABATEMENT

Prune: ☐ remove defective part ☐ reduce end weight ☐ crown clean ☐ thin ☐ raise canopy ☐ crown reduce ☐ restructure ☐ shape

Cable/Brace: _____ **Inspect further:** ☐ root crown ☐ decay ☐ aerial ☐ monitor

Remove tree: Y N **Replace?** Y N **Move target:** Y N **Other:** _____

Effect on adjacent trees: ☐ none ☐ evaluate

Notification: ☐ owner ☐ manager ☐ governing agency **Date:** _____

COMMENTS

ISA Basic Tree Risk Assessment Form

Client _____ Date _____ Time _____

Address / Tree location _____ Tree no. _____ Sheet _____ of _____

Tree species _____ dbh _____ Height _____ Crown spread dia. _____

Assessor(s) _____ Time frame _____ Tools used _____

Target Assessment

Target number	Target description	Target zone: Target within drip line	Target zone: Target within 1 x Ht.	Target zone: Target within 1.5 x Ht.	Occupancy rate (1 – rare, 2 – occasional, 3 – frequent, 4 – constant)	Practical to move target?	Restriction practical?
1							
2							
3							
4							

Site Factors

History of failures _____ **Topography** Flat ☐ Slope ☐ _____% **Aspect** _____

Site changes None ☐ Grade change ☐ Site clearing ☐ Changed soil hydrology ☐ Root cuts ☐ Describe _____

Soil conditions Limited volume ☐ Saturated ☐ Shallow ☐ Compacted ☐ Pavement over roots ☐ _____% Describe _____

Prevailing wind direction _____ **Common weather** Strong winds ☐ Ice ☐ Snow ☐ Heavy rain ☐ Describe _____

Tree Health and Species Profile

Vigor Low ☐ Normal ☐ High ☐ **Foliage** None (seasonal) ☐ None (dead) ☐ Normal _____% Chlorotic _____% Necrotic _____%

Pests _____ **Abiotic** _____

Species failure profile Branches ☐ Trunk ☐ Roots ☐ Describe _____

Load Factors

Wind exposure Protected ☐ Partial ☐ Full ☐ Wind funneling ☐ _____ **Relative crown size** Small ☐ Medium ☐ Large ☐

Crown density Sparse ☐ Normal ☐ Dense ☐ **Interior branches** Few ☐ Normal ☐ Dense ☐ **Vines/Mistletoe/Moss** ☐ _____

Recent or planned change in load factors _____

Tree Defects and Conditions Affecting the Likelihood of Failure

— Crown and Branches —

Unbalanced crown ☐ LCR _____%

Dead twigs/branches ☐ ____% overall Max. dia. _____

Broken/Hangers Number _____ Max. dia. _____

Over-extended branches ☐

Pruning history

Crown cleaned ☐ Thinned ☐ Raised ☐

Reduced ☐ Topped ☐ Lion-tailed ☐

Flush cuts ☐ Other _____

Cracks ☐ _____ Lightning damage ☐

Codominant ☐ _____ Included bark ☐

Weak attachments ☐ _____ Cavity/Nest hole ____% circ.

Previous branch failures ☐ _____ Similar branches present ☐

Dead/Missing bark ☐ Cankers/Galls/Burls ☐ Sapwood damage/decay ☐

Conks ☐ Heartwood decay ☐ _____

Response growth _____

Main concern(s) _____

Load on defect N/A ☐ Minor ☐ Moderate ☐ Significant ☐ _____

Likelihood of failure Improbable ☐ Possible ☐ Probable ☐ Imminent ☐ _____

— Trunk —

Dead/Missing bark ☐ Abnormal bark texture/color ☐

Codominant stems ☐ Included bark ☐ Cracks ☐

Sapwood damage/decay ☐ Cankers/Galls/Burls ☐ Sap ooze ☐

Lightning damage ☐ Heartwood decay ☐ Conks/Mushrooms ☐

Cavity/Nest hole _____ % circ. Depth _____ Poor taper ☐

Lean _____° Corrected? _____

Response growth _____

Main concern(s) _____

Load on defect N/A ☐ Minor ☐ Moderate ☐ Significant ☐

Likelihood of failure

Improbable ☐ Possible ☐ Probable ☐ Imminent ☐

— Roots and Root Collar —

Collar buried/Not visible ☐ Depth _____ Stem girdling ☐

Dead ☐ Decay ☐ Conks/Mushrooms ☐

Ooze ☐ Cavity ☐ _____% circ.

Cracks ☐ Cut/Damaged roots ☐ Distance from trunk _____

Root plate lifting ☐ Soil weakness ☐

Response growth _____

Main concern(s) _____

Load on defect N/A ☐ Minor ☐ Moderate ☐ Significant ☐

Likelihood of failure

Improbable ☐ Possible ☐ Probable ☐ Imminent ☐

Risk Categorization

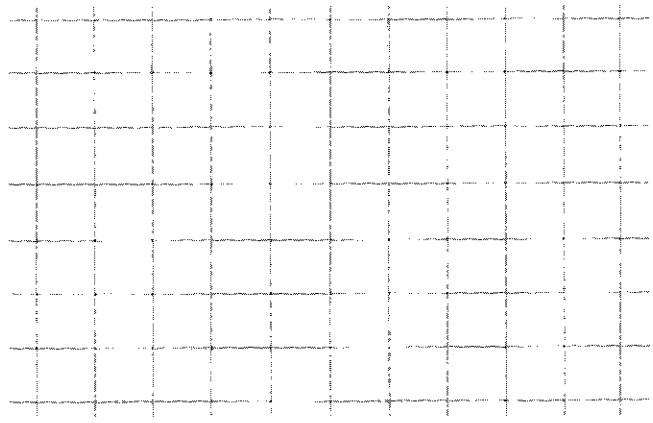
Condition number	Tree part	Conditions of concern	Part size	Fall distance	Target number	Target protection	Likelihood: Failure: Improbable	Failure: Possible	Failure: Probable	Failure: Imminent	Impact: Very low	Impact: Low	Impact: Medium	Impact: High	Failure & Impact (from Matrix 1): Unlikely	Somewhat	Likely	Very likely	Consequences: Negligible	Minor	Significant	Severe	Risk rating of part (from Matrix 2)
1																							
2																							
3																							
4																							

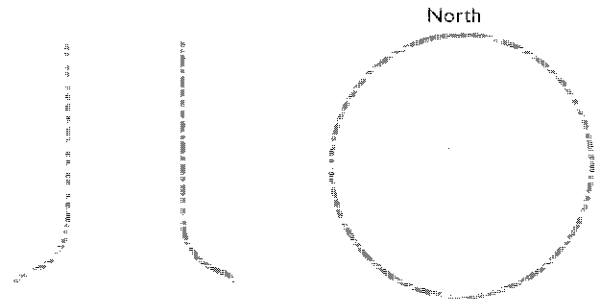
Matrix 1. Likelihood matrix.

Likelihood of Failure	Likelihood of Impacting Target			
	Very low	Low	Medium	High
Imminent	Unlikely	Somewhat likely	Likely	Very likely
Probable	Unlikely	Unlikely	Somewhat likely	Likely
Possible	Unlikely	Unlikely	Unlikely	Somewhat likely
Improbable	Unlikely	Unlikely	Unlikely	Unlikely

Matrix 2. Risk rating matrix.

Likelihood of Failure & Impact	Consequences of Failure			
	Negligible	Minor	Significant	Severe
Very likely	Low	Moderate	High	Extreme
Likely	Low	Moderate	High	High
Somewhat likely	Low	Low	Moderate	Moderate
Unlikely	Low	Low	Low	Low





Notes, explanations, descriptions _____

_____

_____

_____

_____

Mitigation options _____ **Residual risk** _____

_____ **Residual risk** _____

_____ **Residual risk** _____

_____ **Residual risk** _____

Overall tree risk rating Low ☐ Moderate ☐ High ☐ Extreme ☐ **Work priority** 1 ☐ 2 ☐ 3 ☐ 4 ☐

Overall residual risk Low ☐ Moderate ☐ High ☐ Extreme ☐ **Recommended inspection interval** _____

Data ☐ Final ☐ Preliminary **Advanced assessment needed** ☐ No ☐ Yes-Type/Reason _____

Inspection limitations ☐ None ☐ Visibility ☐ Access ☐ Vines ☐ Root collar buried Describe _____

From: Michael Nadeau
To: DEEP Hazard Trees
Subject: Draft Policy
Date: Monday, July 18, 2022 9:41:36 AM

Dear DEEP Employees:

I am Michael Nadeau, a member of the Housatonic Meadows Preservation Action group (HMPA). I have been involved with the tree removal incident since last fall and have appeared on both CEQ and DEEP Zoom and in-person meetings. I am writing to voice my disappointment and opposition to your Draft Hazard Tree policy.

Arborists: HMPA has repeatedly stressed the need for an arborist with specialized training with hazard tree identification and mitigation, such as is offered by ISA TRAQ training. This essential request has so far gone unheeded. As a retired CT Arborist for over 40 years, I know first-hand that arborist training alone is inadequate. TRAQ certification is not difficult or costly to obtain, but can provide the arborist with the training and criteria needed to best serve our parks and forests.

Public Notification: HMPA has stressed the need for greatly improved communication between DEEP and the public. A notice on a tree off the beaten path and notification on an onerous government website is not an improvement. We have specified that the town First Selectmen be notified so they can disseminate the information to the public is a more visible fashion. Again, this is not a difficult or costly request and we urge you to show you are willing to communicate more openly with the public by enacting this request.

Replanting: It is unconscionable that the legislature did not provide funding for their mandate to replace trees removed. Although I agree that in certain interior forest situations tree replacement is unnecessary, it is most important to replace trees where ecological and aesthetic concerns are prominent. As foresters you know a sapling can be protected with a stake and trunk sleeve until the tree grows above the browse line. Or, in certain incidences larger trees can be utilized and cared for in the same manner. Volunteer help to provide ongoing care for newly planted trees is mentioned in the draft policy. This would be a good way for DEEP to engage the public to ensure buy-in for the health of our trees.

In closing, I am compelled to state my disappointment with the procedures that require so much time and energy to implement best practices, only to end up with a grossly watered down version of a policy that has no teeth to compel it and no real change from the status quo. It is my hope that this public outcry for a better, more inclusive, policy is heeded by those of you at DEEP that are entrusted with the care of our trees. In a sense the public are your bosses – you work for the *public* through your actions with our forests and parks. Please be sensitive and proactive with our essential requests for a better Hazard Tree Policy.

Respectfully,

Michael E. Nadeau, HMPA
Sharon, CT
CT Arborist/Custom Grounds Supervisor S-2878 (Retired)

Sent from Mail for Windows

From: Debby Bennett
To: DEEP Hazard Trees
Cc: Katherine Freygang
Subject: Hazard tree draft proposal
Date: Saturday, July 16, 2022 2:57:36 PM

Dear DEEP

I have read with some dismay the limited proposal made by DEEP regarding the hazard tree mitigation guidelines. To propose that only heritage trees be the subject of this draft was somewhat shocking. It severely limits the number of trees that can be addressed and is extremely subjective. Further the subjectivity is further eroded by the fact that the people doing the evaluations are not suitably educated to do so.

Trees that have targets (like parking areas, campsites, roadsides) are as important as heritage trees to properly assess. Just because a tree is not huge, old, historically significant does not mean that it can be cut down without sufficient review .

Please rewrite this draft to include target trees. Respectfully

Deborah Bennett

Commissioner Cornwall conservation commission, Cornwall Connecticut