

STATE VEGETATION MANAGEMENT TASK FORCE
MEETING #2 – FACILITATOR’S SUMMARY
May 8, 2012, 10:00 AM – 12:45 PM
Connecticut Forest & Park Association, Middlefield, CT

Members Present: Kim Barbieri, Timothy Bockus, Mark Goetz, David Goodson, Jim Govani, Eric Hammerling, Jane Harris, Mary Hogue, John Jasinski, Kevin Kelly, JoAnne Messina, John Mitchell, Karl Reichle, Bruce Villwock, Jeffrey Ward. Alternate: Ken Bullard. **Members Absent:** Leslie Kane, Joe McGee, John Parry, James Skiff.

Connecticut Department of Energy and Environment (DEEP) Participants/Ex Officio Members: Chris Donnelly.

Observers: none. **Facilitator:** Bill Logue **Recorder:** Sheila Hoefle (DEEP).

Welcome, Introductions and Administrative Issues. The agenda, handouts and revised roster were reviewed¹. Task Force Chair Eric Hammerling welcomed the members and asked everyone to reintroduce themselves. The members agreed that the format and content of the meeting summary was appropriate and should continue. The Google Group was discussed.

I. Presentations. Ad hoc work groups presented brief overviews of their concerns and suggestions from various perspectives as a means of sharing information and identifying areas needing additional information and focus.

Utility Vegetation Management. Dave Goodson and Ken Bullard presented an overview of the utility company perspective. Utility wires typically carry 5,000 to 30,000 volts. Vegetation around lines is managed for several purposes, including: public and worker safety, visual and physical access to the lines, prevention of equipment damage and oil spills, service reliability, and power quality (preventing "flicker"). For Northeast Utilities, the largest cause of outages is trees, on an annual basis they are 25 to 33% of the cause and during storms approximately 90%. All vegetation management work is done by two contractors who are available 24/7. The contractors are managed by CL&P and UI staff who are trained and licensed arborists.

Line clearance tree work is performed year-round to prevent contact between trees and conductors. CL&P does this on a 5-year cycle and UI on a 4-year cycle for major lines and 8-year cycle for lateral lines. Examples were provided of tree along ROWs and the consequences of unpruned limbs, hazard trees and growth of invasive vines and trees. Both companies remove hazard trees and vines. CL&P does scheduled maintenance trimming 8' below the line, 10' to the side and 15' above. Enhanced trimming and capital projects remove all branches above and

¹ Most documents from the meeting are generally available at:
<http://www.ct.gov/dep/cwp/view.asp?a=2697&q=503040>

below and 8' to the side. UI uses a range of 5-8' below, 6-10' to the side and 12-15' above. About 9-10,000 requests are received annually to assess a tree, mostly for removals.

The utilities encourage municipal ordinances, programs and Right Tree/Right Place to promote best practices. CL&P has 17,000 pole miles and UI more than 3,200 pole miles. This large volume means significant costs. Vegetation management involves a number of stakeholders including: customers (residential, hospitals, business and industry); municipal (tree warden, police, DPW, public safety, emergency management); State (DEMHS and DOT); telecommunications (phone, internet, and cable TV). The most significant vegetation management issues are:

- Trees are the #1 cause of electric service interruptions
- Storm damage affects everyone and costs tens to hundreds of millions of dollars to repair (not including the cost to businesses and other external stakeholders)
- Need to improve the partnership and cooperation between the utilities, state and municipalities regarding roadside tree maintenance
- Understand and work to reduce significant ancillary costs such as; police traffic control, consent, permits and service tax (25% of the cost of vegetation management does not go into the actual cutting)

Issues needing resolution to better manage the roadside forest are: little recognition that the forest is in decline, constraints on state and municipal funding for roadside tree care, property owner responsibility, limitations under current law of utility rights to prune and remove trees, and responsibilities of the non-electric utilities. Some guidance is available through ISA, TCIA and USDA and support is needed by the utilities from DEEP, DOT, municipal officials and private property owners. Demanding tree wardens advocate for better work by tree crews.

Property Owners. Jane Harris provided an overview of the residential and commercial property owner perspective. Her key points related to the attitudes about utilities companies and the impact of lack of information. Lack of accurate information has people concerned about large pruning buffers, fears of eminent domain, and lack of knowledge of pruning cycles, property bounds and ROWs. Few homeowners know who their tree warden is and what their responsibilities are. Frustration is often expressed about response times of tree wardens and utilities, pruning aesthetics and flail mowers. Customers also complain about the responsibility for service lines and telecommunications companies charging for wire drops. Little attention is paid to Right Tree/Right Place. Kim Barbieri noted that people have emotional attachment to trees and a trend is for people to expect additional services as taxes rise. A system for negotiating through the trimming v. removal decision would be helpful and would allow people to be less reactive.

Tree Wardens. Karl Reichle presented an overview of the challenges faced by tree wardens. Tree wardens are responsible for trees on the utility and non-utility sides of the road. He noted that they receive good cooperation from utilities. Tree wardens are concerned about mandates to conduct tree inventories without the commensurate resources to act on the inventory because this could create significant liability for a municipality. Inspection of tree on private property is problematic and forcing the removal of a tree can bring political pressures on a tree warden. Most tree wardens rely on contracted crews to perform the work. Budgets for municipal tree work must compete with other government programs at the state level and within the municipality including schools, roads, police, public works, fire, recreation and other items. The tree wardens' association is in favor of mandatory certification; however, a number of issues would have to be addressed such as who certifies tree wardens, the process by which they would be certified and the qualification that would be needed for certification. Sixty-five per cent of tree wardens are now certified by the Tree Wardens Association of Connecticut.

Jim Govoni and Tim Bockus added additional perspective. They noted that the roadside forest was aging and deteriorating and recommended better information to property owners through Right Tree/Right Place and the involvement of other decision makers such as planning and zoning and inland wetland commissions in promoting better practices. Most efforts to enforce are through municipal regulation which are difficult and expensive to undertake and create ill will. They recommended that a state statute would be easier to enforce than local ordinances.

Environmental/Public Perspective. Mary Hogue presented the perspective of environmental organizations and members of the public. She focused on three elements relating to trees: health of the trees, benefits of trees and risk management. With respect to health of trees, at the start she noted that these perspectives go beyond those relating to the utilities but are also things which impact them. These include "Right Tree/Right Place" with a focus on non-invasive species, especially whenever there is a tree removal and replacement; pruning schedules and standards – minimizing or ideally doing no harm, focus should not only be on utility wires and roadway safety but for maintaining the health of the tree. The benefits derived from trees are multifaceted and include cooling, storm runoff, erosion control, air and water quality and noise reduction, financial benefits, and stress reduction every day of the year. She cited a chapter in *The Greening of Cities and Towns* as a source for more information.

In analyzing what could and should be done by the Task Force, Ms. Hogue suggested that the group consider risk management and the return on investment and how these relate to consumer rates for electricity. For instance, any initiative will require funding and that funding request will require the backing of the electorate. A question will be whether to keep rates low and on the odds that a catastrophe will not knock out power or to proactively address utility line issues and spend the money that in turn increases consumer rates. She noted that

operational costs, like tree trimming, increase consumer rates while capital expenditures adversely affect shareholder returns. She pointed out the role that PURA plays in setting rates. She is working on a list of resources that the group could consider its work products and would add credibility to the recommendations. She suggested that input be sought from the public and stakeholders through such things as surveys (the Connecticut Chapter of the Northeast Organic Farming Association has offered to help on this) and blogs.

ConnDOT. Bruce Villwock presented the perspective of the Department of Transportation. He noted that the DOT Office of Maintenance directs, coordinates and carries out all maintenance activities on the 11,400 shoulder miles of state roads and highways. The size of the ROW varies from a few inches to hundreds of feet. Many of the trees which fell during the two fall 2011 storms were on private property.

There are four Maintenance Districts each with a director, two managers, a landscape designer, 12 maintenance garages and 2 to 3 tree crews. The maintenance crews remove small trees and brush and tree crews remove larger trees and conduct trimming. Contracted crews supplement this. DOT crews are required to stay 10' from wires; consequently, downed trees and wires from storms delay reopening roads. This could be resolved by utility and DOT crews working side-by-side. Recently some vacant positions on tree crews were filled and additional vegetation management funding was received. Clean up work from the storms continues.

The primary DOT concern is safety and efficiency of the transportation system. Work includes removal of dead, dying and structurally impaired trees in the ROW, a 16' vertical clearance, opening of sightlines on curves and a 30' shoulder clear zone for limited access highways. A program is being developed for herbicide application to cut stumps in conjunction with 1 and 5-year plans for each district.

Members discussed the standards for trimming used by FEMA contractors and the general conclusion was that, in an effort to reduce debris, trimming left stubs which are unattractive and will impact future tree health.

Mr. Villwock noted that although a closed or evergreen canopy over a road may be attractive, during the winter they require additional work because sun does not warm the roads and so activate the de-icing chemicals and snow blowing out of trees recoats the roads both of which create conditions needing additional work. The Merritt Parkway is physically being walked to inspect and remove structurally impaired trees.

At the conclusion of the presentations Task Force members catalogue additional information needs, suggestions and questions for future consideration. They are:

Utility

- Underground wiring?
- Is backbone pruning in the budget? Yes
- Should the telecommunication companies be part of the discussion? Should they contribute to costs of vegetation management which protects their lines?
- Requests and complaints - opportunity to shift from reactive to proactive?
- Who is responsible for line from pole to house? Home owner/tree owner
- Are herbicides used for invasive species and other vegetation?
- What does working in partnership mean?
- How are contractors, including field workers, who perform utility vegetation management trained and what are they trained in?

Tree Wardens

- Consider replacement tree program and link to Right Tree/Right Place.
- Liability regarding inventories and liability regarding trees on private property?
- How are trees managed without an inventory?
- Be aware of costs of recommendations, especially to smaller towns?
- How to develop public/private partnerships?
- Information about what is happening across the state with Tree Wardens? Issues of lack of consistency and what is happening in municipalities that are not as involved as most of the other municipalities.
- Deputy Tree Wardens could be explored as a concept.

DOT

- Education on canopy impacts on road conditions and costs (melt rate, materials, drifting, etc.)
- Scenic roads – how do they differ, what are the criteria, how does this impact jurisdiction in the ROW?
- Impacts on work quality, appearance, tree health of FEMA “standards”. Discussion about whether FEMA standards are geared to clean up in a manner that minimizes the amount of debris needing removal.
- Who is doing what – DOT, towns, FEMA, utilities?
- Differences for DOT in vegetation management in maintenance v. construction?

Land Owners

- Education – what, how and who? Include information about who tree wardens are and what they do.
- Replacement of trees.

II. Topics List. The Task Force reviewed a redraft of the topics list and generally agreed that they were appropriate. Flowing from this several issues were discussed. The group raised questions concerning risk, definitions of risk and what an acceptable level of risk might be acceptable and how this related to the two storms from the fall of 2011. The group agreed this deserved further discussion with respect to roadside trees and an acceptable level of failure.

Tree inventories were discussed further. Generally, the key implications of tree inventories are: 1) you need to know what you have to manage and 2) once you know what you have, then you must remediate problems because of liability. Once an inventory is completed, it will need to be updated continually or it will soon be outdated. A member suggested that towns submit information on failing trees to the state for a statewide picture that could be shared with any town. The theme of the discussion was the need to make the trees safe for the public. The discussion was productive in moving to new ideas which extended beyond current thinking. Several members asked whether telecommunications companies and FEMA should participate.

The group then discussed expectations for a Task Force work product and public expectations and how these relate to risk e.g., should specific levels be set for power loss in relation to level of vegetation management? PURA will be addressing this, perhaps in response to Senate Bill 23.

III. Moving Forward. The group gathered ideas about potential work products and issues that would be useful to deal with or accomplish through the process. These included:

1. Plan to maximize urban canopy
2. Right Tree/Right Place – replacement forest
3. Public education
4. Having public know who is responsible for what
5. Proactive steps for municipalities to think about rights-of-way (sub-division regs)
6. Template – recommended format for what makes decisions for what (decision chart)
7. Greater respect & resources for tree wardens
8. What level of risk are we managing for?
9. Need to determine who is responsible for tree maintenance, stakeholders all need to be present, funding to be representative of the forest.
10. Expectations/accountability/authority. Legislature passed law for utilities to be held accountable. If that is so, the utilities should have the authority to do something. What expectations are we trying to manage to? (Maryland has statutes)
11. More interaction with “other utilities” AT&T and SNET need to be more relevant. Town planning & zoning.
12. Identify what level of storm we are going to plan for.
13. Do something about FEMA standards of trimming, make similar to ANSI standards. Invite FEMA to sit in?
14. How to coordinate cutting and removal of woody debris.
15. How has the balance shifted (customer service vs. reliability vs. worker/public safety)? If you steal from one piece, it throws the balance off.

IV. Administrative Issues. The Task Force will meet every other Tuesday from 10:00 am – 12:30 pm, except July 3. Alternative locations will be announced and telephone participation investigated. August 14 is the goal for the draft. Work groups will be set at the next meeting.