

Forest Practices Advisory Board
June 14, 2011

Attendees as members: Stephanie Lebanowski, Tom Trowbridge

Attendees as guests: Eric Hammerling

DEP Staff: Jennifer Hockla, Judd White, Chris Martin, Sheila Hoefle (recorder), Doug Emmerthal

Due to the lack of members in attendance at the meeting, there was no quorum present.

Legislative updates:

[HB5049](#) "An Act Concerning the Removal or Destruction of Trees" – to authorize municipalities to enact ordinances regulating the removal and destruction of trees within municipal boundaries. The Bill was not passed.

[HB5363](#) "An Act Transferring the Conservation Functions of the Department of Environmental Protection to the Department of Agriculture". This proposed Bill caused a lot of discussion within BNR. Hammerling stated that the Connecticut Forest and Park Association testified against that bill and suggested that The Department of Agriculture be moved into DEP. The Bill was not passed this session.

[HB5526](#) "An Act Concerning Commercial or Residential Projects on Property that Contains Certain Woodlands". This proposed bill would **require a state issued permit prior to the construction of a commercial or residential development project on certain woodlands**. This Bill was not passed in this session.

[HB5302](#) "An Act Concerning the Estate Tax" The proposed bill would increase the exemption to five million dollars for the estate tax rather than the two million, as it is currently set. Martin thought the proposed Bill would be good for farm and forestland owners for estate planning. This Bill was not passed this session.

[SB838](#) "An Act Concerning Wildlife Management and Lands Classified as Farm Lands" This Bill was raised to assist owners of farmland that may use their property for wildlife management. This Bill would have been difficult to manage. It likely would have become a subcomponent of farmland classification, and would have required a DEP forester to certify the acres as wildlife habitat. Hammerling stated that CFPA provided testimony that this Bill would not be easy to work with. A suggestion would be to create a new PA490 classification to cover the wildlife aspect of property management.

[HB5068](#) "An Act Creating a Rebuttable Presumption for the Approval of an Inland Wetlands Permit for a Dry Hydrant". This Bill provides an individual the ability to install a dry hydrant with minimal regulatory review. This Bill passed this session.

[SB830](#) "An Act Prohibiting the Use of Certain Outdoor Wood-Burning Furnaces". This Bill did not come to final vote. Last Martin knew DEP was proposing a comprehensive set of regulations based on a survey of New England states.

[HB6263](#) "An Act Concerning the Transition from the Ten Mill Program" This Bill will enable owners of certain forest land to convert from the ten mill tax program to the 490 tax program. This Bill passed this session. Legislators that played a big role in the presentation and passing of the Bill were Rep. Bryan Hurlburt, Rep. Roberta Willis, Sen. Andrew Roraback, Sen. Edward Meyer. The biggest opponent was the CT Conference of Municipalities. They were viewing the Bill on behalf of towns that would give up potential tax revenue; Martin met with them to help explain the benefits to the town to allow the conversion to 490 classified land. Governor Malloy has not signed the Bill as of 6/14/2011.

[HB6157](#) "An Act Concerning State Forestry Programs". This bill would establish a timber harvesting revolving account to encourage the harvesting of timber from certain woodlands in the state. The language of the Bill states that \$100,000 from timber sale revenue, donation, or loan to the DEP Commissioner should be utilized to increase the amount of forest management occurring on state

forest. Presently half of the state's forests have current management plans. This is due to staffing level. Hammerling clarified that the language refers to the development or implementation of forest management plans.

[SB1](#) : "An Act Concerning Connecticut's Energy Future". Hockla handed out a condensed version of the Bill provided by Commissioner Esty.

Public advocacy for state lands management (written by S. Broderick): Broderick asked DEP to inform the Board that DEP has hired three durational employees as Environmental Interns, one in Private & Municipal Lands program (urban), the other two have been assigned to the State Lands Management Program. Broderick has questions about whether those two positions are sufficient within State Lands Management or should we seek more positions and is there a plan to morph the Interns into permanent positions. At this point DEP has made 2-year commitment for the durational employees then those positions terminate. Martin stated DoF's goal to make them so valuable that they will not terminate at the end of 2 years. Another DoF goal is to double the acres of State Lands managed in 20 years with four more forest technicians to gather the data. At this point, there is no authorization to hire those people yet. Hockla asked if Martin took into consideration the aging existing staff. Martin stated the presumption is that the hiring freeze be lifted and then when people retire we can rehire. Hammerling asked for clarification if the three durationals that were hired are for Windham and New London counties or if we are still looking for three additional employees to cover those areas. Martin stated that Daniel and Jeremy focusing on forest inventory in eastern CT. White noted that the RGGI Program in the northeast has lost a member and there is speculation that many more states may drop out, will that jeopardize the program if the program falls apart or is the money secure? Martin said DEP fully anticipates fulfilling the two-year employment commitment given the status of RGGI and the received and anticipated revenue from credit auction.

Discussion centered on the need to meet with Commissioner Esty and present the FPAB. Lebanowski will set up the meeting.

Forest Practices Task force update: Martin informed the Advisory Board that the final meeting has not taken place yet, but it is in the works. It is anticipated that the Task Force will accomplish the report readily and make the final report to the commissioner.

EAB update: Purple traps are up, planned public awareness has been accomplished. EAB has not been found yet in Connecticut. The MOU has been finalized between CAES and DEP, granting permission from CAES to "deputize" DEP to help enforce quarantine issues when needed. Infested trees and trees quarantined become regulated articles. Enforcement will take many hands to be successful. CAES and DEP are trying to be as proactive as possible before a forest pest is found. Subcommittees have been hard at work. Work groups are made up of employees from APHIS and UConn Extension with lots of cooperation with private landowners and the DEP Parks Division. There were many questions about what would happen if an invasive insect were found here. At this time there is no definite answer.

State Lands Management contractual language regarding quarantines: Martin stated that this is a proactive strategy that allows flexibility in the contract should either ALB or EAB be found, restricting the movement of forest products harvested from State Forests. It is something that would have happened, DoF thought it prudent to alert buyers of the possibility that a harvest could be impacted by a state placed quarantine. Martin stated that quarantine regulations would depend on what is found.

Hammerling is curious about the state Plan of Conservation & Development. Dan Morley who is involved in that process is making a presentation to Farm Land Advisory Board. Hammerling is going to look into having Morley present at the FPAB meeting as well.

CT Grown Update: The program is progressing but has not developed anywhere near as fast as we thought it would. We have two minor producers that have received authorization to use CT Grown, firewood and furniture. Certain parts are more complex than others are. One particularly complex part is urban sustainability. We want to include urban wood, but the variability of wood sources requires a different line of thinking than anticipated. We have agreed that rather than hold all facets of the industry up while we address a few issues we would phase in each segment as we work through issues. White and Emmerthal are working with Chris Donnelly and Rachel Holmes to get their thoughts to use an urban connection to enhance urban trees. Firewood will be required to be 100% CT Grown.

Forest Guild Biomass Harvesting Guidelines: Biomass becoming a hot topic in Massachusetts, one thing that we need to bring back to the front burner is biomass harvesting and making recommendations on how biomass harvesting should be conducted in Connecticut so the long-term head of the forest is not affected. There are guidelines set by other states that can be reviewed, some are scientifically based some not. The Forest Guild's design for the greater northeast is appropriate for the state of Connecticut. Emmerthal is going to work on putting together a Committee to review biomass-harvesting guidelines. If any FPAB members are interested in being on the committee, please let him know. Emmerthal will be reaching out to other stakeholders as well for committee membership.

Certification program update: The number of certified of individuals remains steady. There has been a slight decline in the number of people enrolling in certification exams. A number are not renewing and are finding general work with benefits. The economy is affecting the forest practitioners. DEP still has several pending actions in the Attorney General's Office that have yet to be resolved. One may wrap up soon, other one going on 4th year pending resolution.

[Ever Thought of Selling Timber Booklet:](#) Copies passed out to Board members present. Emmerthal stated the booklet has been paid for through the SEP Account

Next meeting: October.

Motion to adjourn, Stephanie.