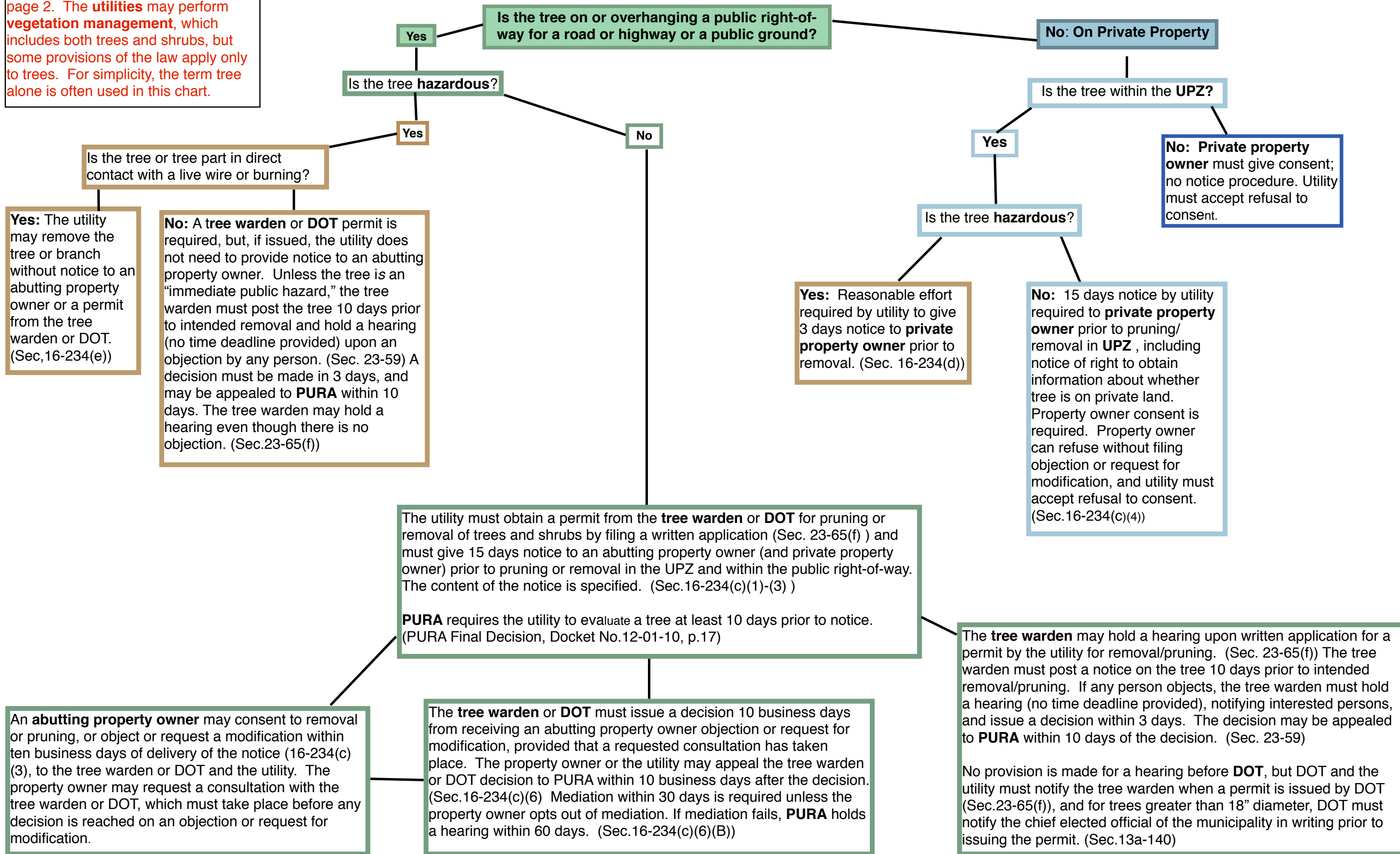


Flow Chart of Legal Requirements for Utility Vegetation Management

Prepared by The Garden Club of New Haven
August, 2014; page 1/2

For definitions of highlighted terms and important information, see **NOTES**, page 2. The **utilities** may perform **vegetation management**, which includes both trees and shrubs, but some provisions of the law apply only to trees. For simplicity, the term tree alone is often used in this chart.



NOTES:

All references to statutory sections are to the CT general statutes and include amendments made in 2014 by Public Act 14-151. The language of the statutes should be consulted for complete information and detail, *especially regarding the notice requirements.*

Abutting property owner is “the owner of the property abutting or adjacent to that portion of a public road, public highway or public grounds where the tree or shrub that the utility proposes to remove or prune is located.” (Sec. 16-234(6))

DOT is the CT Department of Transportation and its Commissioner.

A **hazardous tree** is defined in Sec. 16-234(a)(3) as “any tree or any part of a tree that is (A) dead, (B) extensively decayed, or (C) structurally weak, which, if it falls, would endanger utility infrastructure, facilities or equipment.”

Each town or city must have a **tree warden**. (Sec. 23-58) The tree warden has “care and control” over “all trees and shrubs in whole or in part within the limits of any public road or grounds” and is charged with enforcing “all provisions of law for the preservation of such trees and shrubs and of roadside beauty,” and to protect “public safety.” (Sec. 23-59) Within one year of appointment, a tree warden or the deputy tree warden must successfully complete a course approved by the Department of Energy and Environmental Protection or be a CT licensed arborist. (Sec. 23-59a)

Private property owner is “the owner of the property where a tree or shrub the utility proposes to remove or prune is located, which may include municipally owned land.”

Pruning is defined as “the selective removal or plant parts to meet specific utility infrastructure reliability goals and objectives, when performed according to current professional tree care standards and in a manner that retains the structural integrity and health of the vegetation.”

PURA is the Public Utility Regulatory Authority, which has jurisdiction over the electric distribution companies’ plans for vegetation management. In its Final Decision in Docket No. 12-01-10, Tree Trimming, PURA issued vegetation management standards, including line clearance standards, at pp. 16-19, and required the electric distribution companies to modify their vegetation management plans accordingly.

UPZ is the utility protection zone, defined as “any rectangular area extending horizontally for a distance of eight feet from any outermost electrical conductor or wire installed pole to pole and vertically from the ground to the sky.”

Utility is a telephone, telecommunications, electric or electric distribution company” Virtually all pruning and removal of trees and shrubs is done by electric distribution companies.

Vegetation management is defined as “the retention of trees and shrubs that are compatible with the utility infrastructure and the **pruning** or removal of trees, shrubs or other vegetation that pose a risk to the reliability of the utility infrastructure. Until such time as the Department of Energy and Environmental Protection issues standards for identifying such compatible trees and shrubs, the standards and identification of such compatible trees and shrubs shall be as set forth in the 2012 final report of the State Vegetation Management Task Force.” Sec. 16-234(b) provides that “a utility may perform vegetation management within the utility protection zone, as necessary, to secure the reliability of utility services.”