



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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April 2, 2024

The Honorable Joseph J. Solomon, Jr.
Chairman
House Committee on Corporations
82 Smith Street
Providence, Rhode Island 02903

RE: H 7086 An Act Relating to Public Utilities and Carriers – Vegetation Management for Electric System Reliability

Dear Chairman Solomon,

Thank you for providing the Department of Environmental Management (DEM) the opportunity to comment on H 7086, which would authorize the creation of vegetation management plans to improve the reliability of the electric system. DEM supports this legislation.

DEM recognizes the importance of a reliable, resilient electric distribution system to Rhode Island and that tree-related damage is a frequent cause of power outages. Therefore, we support efforts to improve the efficiency of vegetation management to address this risk. We were pleased to work with the bill sponsor and other stakeholders to ensure that activities conducted pursuant to vegetation management plans envisioned by the legislation would remain subject to DEM permitting requirements. It is, however, worth noting that many DEM permit programs provide exemptions for maintenance activities, including vegetation management. For example, DEM's freshwater wetlands regulations provide an exemption from permit requirements for limited cutting of vegetation within jurisdictional wetlands. This includes an exemption if the cutting "is to remove tree limbs or dead, diseased, leaning or overhanging trees or shrubs which, if left unattended, pose a threat to individuals, dwellings, structures, or safe vehicle movement over roads and driveways."

We appreciate the opportunity to offer comments on this legislation and would be pleased to make ourselves available as needed. Please feel free to contact Ryan Mulcahey, Director of Legislative Affairs, at ryan.mulcahey@dem.ri.gov should you have any additional questions or wish to discuss this matter further.

Sincerely,

Terrence Gray, P.E.
Director

cc: Members of the House Committee on Corporations
The Honorable Brian Patrick Kennedy
Nicole McCarty, Esq., Chief Legal Counsel to the Speaker of the House
Lynne Urbani, House Policy Director