

A POLICY FOR TREES IN PUBLIC GREENWAYS OR POND AREAS

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BACKGROUND

In general, trees can serve many important functions including but not limited to carbon uptake, shade, screening, habitat and aesthetic improvements. However, invasive trees growing in large clusters in greenway/pond areas can cause and/or contribute to increased maintenance costs associated with several types of problems including: erosion problems (due to lack of ground cover under areas shaded by the tree canopy); impediments to flow when trees are allowed to grow in the conveyance areas; providing areas for debris to accumulate causing flow obstructions.

Many tree species volunteer themselves in greenway and pond areas, such as cottonwood, box elder, silver maple, willow, buckthorn, black locust, black walnut and honeysuckle. These trees are typically invasive and/or weak trees that cause maintenance and safety problems as they age. In these cases, the trees do not provide benefits outweighing the negative impacts to the greenway with respect to maintenance costs and erosion associated with bare soil.

Given the above, and due to the limited budget for tree management in our greenways and ponds, City Engineering Division only supports the planting of trees in greenways/pond areas under specific circumstances as outlined below and does not support shrub plantings.

EXISTING GREENWAYS/PONDS

City Engineering Division operates and maintains many greenways/ponds with significant numbers of trees for a number of reasons. These reasons include but are not limited to lands which:

- 1) Serve a drainage function but at the time of acquisition were not constructed to current greenway specifications;
- 2) Were part of a development where the land was dedicated to the City without any improvements being completed on the drainage system, which could be a result of remnants of old farm ditches;
- 3) Suffered a lack of maintenance prior to the standardized maintenance practices established in 2004, that resulted in volunteer trees becoming established;
- 4) Were planted by abutting property owners;
- 5) Were planted by the Parks Division or another City Agency.

TREE PLANTING GUIDELINES

As a general guideline, City Engineering supports the planting of non-invasive hardwood trees spaced approximately 100ft apart (minimum spacing) and which are planted on average a maximum of 20ft from the property line of a pond or channel. Other locations not meeting this criteria would be evaluated on a

case by case basis. All tree planting locations are subject to the review and approval of the City Engineer.

Neighborhood Associations, no-profit organizations and volunteer organizations will be allowed to plant trees in greenways and ponds in accord with the above standards and in accord with the following:

- 1) A plan showing the location, species and caliper of proposed plantings shall be submitted to City Engineering for approval.
- 2) A permit to work on public lands shall be taken out in accord with Madison General Ordinance Chapter 8.
- 3) As part of that permit process insurance shall be required to complete the work.
- 4) The applicant shall comply with all the conditions of the Madison General Ordinance Chapter 8 permit including the requirement to complete a Diggers Hotline One Call as part of the planting process.

All trees planted on City lands become the property of the City and approval by the City for planting does not constitute the requirement for the City to provide perpetual care or replacement. Tree removals that are deemed necessary by the City Engineer for the purpose of maintenance, repair or expansion of facilities shall not be replaced.

MANAGEMENT GUIDELINES

CONFORMANCE WITH 6-2, TREE POLICY

Tree removal shall be noticed in accordance with APM 6-2. In most instances, a notice is mailed to properties within 100ft of the tree being removed a minimum of 10 days prior to the removal.

AQUIRING CONSTRUCTION SERVICES

In accordance with WI Statute 62.15(1) and the Madison General Ordinances, all work completed by the City, the value of which is over \$25,000, shall be let through the public works process.

Work to be completed by a private contractor may be obtained through City Purchasing. Note however, that any change order to construction work obtained through the City Purchasing process cannot a total project value over \$25,000 without violating state statues. Therefore, when obtaining work through City Purchasing, the Project Manager must insure that at no point will the value of the work exceed \$25,000.

In accordance with WI Statute 62.15, the type of work done by City crews is only allowed if the Madison General Ordinances provides for that type of work to be done by City Crews. In accordance with Madison General Ordinances 33.07(6)4., greenways, being a part of the City's Stormwater system, are an approved category of work that can be constructed by City Crews. The value of the labor portion of the City work cannot exceed \$125,000, as indexed annually.

GREENWAY RATINGS/PROJECT CATEGORIES:

The City Engineering Division completes a rating of greenways on a cyclical basis in which every greenway is reviewed on a four (4) year cycle and given a rating. Projects are scheduled and budgeted as a result of these ratings.

These ratings can result in projects that can often be broken into the following categories:

1. Reclamation Projects

These greenways are in generally good condition but have potential to stabilize without a major capital construction project if minor repairs are made, invasive species are removed, and the area reseeded/restored. Greenways in this category will typically be completed by the City Engineering Operations crews or by a City hired contractor. Completion of relatively minor projects while the greenway is in this condition allow methodical and cost-effective improvements to be made.

As time and resources allow, clusters of volunteer vegetation (normally willows or box elder) shall be removed and debris shall be removed from the site by City Engineering Operations crews. Stumps will not be grubbed but they shall be treated with herbicide to prevent re-sprouting.

2. Restoration Projects

These greenways are in generally good condition physically, but have been overwhelmed by invasive species. To allow these greenways to have good environmental value and to prevent the spreading of invasive species downstream these greenways require that a majority of the existing vegetation be removed and new more desirable species be planted in their place. These projects will be authorized in the Stormwater Utility budget. Work will be performed either by contract(s) awarded through the Public Works contracting, through City Purchasing or by the City Engineering Operations crews.

3. Construction Projects

These greenways are generally in poor condition and require a major construction project to allow the regrading and tree removal needed to allow these greenways to be functional. These projects will be authorized in the Stormwater Utility budget. Work will typically be performed by contract(s) awarded through the Public Works contracting process.

4. Post-Construction and Restoration

Dead and downed trees will be removed from newly constructed greenways as well as those which have been reconstructed or restored. Debris from trees removed as part of a City Engineering Division capital project shall be removed from the site. Stumps will be grubbed.

MANAGEMENT OF EXISTING TREES IN GREENWAYS/PONDS – REQUESTS FOR REMOVALS/TRIMMING

Definitions for the purpose of this policy:

- 1) **Hazard is defined** to mean that in the opinion of City Forestry, or a certified arborist, the tree in question is in a condition that a reasonable expectation of it falling during a storm event in the next 2-3 years can be predicted, and that if the tree would fall it could do damage to structures or persons on private property.
- 2) **Diseased is defined** to mean that in the opinion of City Forestry or a certified arborist, the tree in question has succumbed to a bug/bacteria/fungus or otherwise acquired a condition such as girdling root, that is likely to result in the death or significant decline of the tree to a point where it is likely to become a hazard in the next 2-3 years.

Tree Removal Guidelines:

- 1) Individual trees will only be removed from greenways when they pose a potential hazard, or as part of a larger project as defined above.
- 2) Whenever reasonably possible, debris resulting from individual tree removal performed in accord with this policy shall be removed from the site. If this is not physically possible or practical without removal of additional trees to allow in necessary equipment or if the site conditions do not allow for the use of equipment for removal of the debris, the debris (felled trees, chipping...) will be left on site and out of the active drainage way. Stumps will not typically be removed/grubbed, exceptions will be made for trees removed in greenways that are managed as a park like area.
- 3) Work to remove trees/brush shall be performed by Engineering Operations or a City hired contractor.
- 4) Hazardous conditions shall be addressed as soon as reasonably possible after City Engineering is notified of the problem.
- 5) If the property owner wishes to remove a tree that is not deemed to be a hazard and that tree is on public lands. The property owner shall submit a permit application in accord with Madison General Ordinance Chapter 8 to City Engineering and it shall be reviewed for approval.

Tree Trimming Guidelines:

- 1) If a tree has a dead branch or branches which are in a location such that it is a hazard, City Engineering Division will remove either the entire tree or the at risk branch/ branches as soon as reasonably possible after being notified of the problem.
- 2) Trees requiring maintenance shall be reviewed for species and condition/diseased status. If the tree is an undesirable species or is diseased and poses a hazard, it shall be removed. Other trees shall be trimmed if reasonably possible.
- 3) If a live branch crosses over onto private property from public lands, the property owner may remove it at their own expense and at their risk provided they remain upon private property to complete the work. The trimming shall be completed in a manner that it shall preserve the health of the tree and that complies with industry best management practices for tree pruning. All tree trimming shall be in accordance with local regulations, which include but aren't limited to adhering to regulations to limit the spread of oak wilt or Dutch Elm disease. If a tree limb that is to be trimmed is adjacent to overhead utilities it is the property owner's responsibility to contact the utility prior to removal of any parts of the tree. Damage to any utility by a property owner will the responsibility of the property owner. If the owner cannot complete the work from their property proceed under #4 below.

- 4) If the property owner desires to enter upon City lands to complete the trimming or removal work the property owner shall be required to obtain a permit to work on public lands as required under Madison General Ordinance Chapter 8.

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