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Subject: Proposed Ordinance 25-4

Councilmembers and staff,

I am writing to you concerning proposed Ordinance 25-4, Tree Preservation for City Sponsored Projects. First, I must commend Councilmember Noecker for digging into this and producing an ordinance for your consideration. Preserving our tree canopy is an essential component to combat climate change and is a way more significant way to reach the goals of the Climate Action and Resilience Plan than building 150 new miles of separated bike trails in hopes that enough more people will adopt cycling to bring about a meaningful drop in vehicle miles driven.

It is important that the proposed ordinance be as comprehensive as possible to avoid it becoming mere cover for those who prioritize development over all else. My first observation is that replanting is not preservation. A sapling that is planted to replace a mature tree will take decades before it can produce the same level of benefits that we gain today. Multiply that by hundreds and the resulting loss to the community is millions of dollars of benefits, many of which are listed in the proposed ordinance. Tree preservation needs to be prioritized over replanting, in the ordinance, and should be factored into early planning to determine the impact of any proposed construction and/or to look for alternatives.

Secondly, the ordinance speaks of feasibility to preserve trees but fails to detail who gets to decide what is feasible. This past summer residents questioned the workers doing ADA corner modifications on Summit Ave about the large tree roots that were sticking out of the ground. The response they got was "That's your problem not mine." So, are we going to leave the feasibility decision to contractors? What mitigation techniques were (or not) being applied?

Lastly, and probably most important, the ordinance does not have any specifications for enforcement. Without daily enforcement, we will always be reacting to tree loss rather than preventing tree loss. Implementing tree preservation techniques will inevitably incur cost and take more time, which are in direct conflict with the objectives of any contracting company. There are no required inspections by Forestry. There are no details to be included in contracts that require tree preservation. The ordinance defines a Tree Preservation Plan (TPP), which is great, but doesn't state that it would be required for all contracts. The question is, will the financial penalties for non-compliance be severe enough to compel contractors to implement preservation techniques?

Ord 25-4, Public Comment

Again, I am glad to see the Council considering this important ordinance. I would encourage you to take the time to ensure that it is both comprehensive and enforceable so that it will deliver the hoped for value, to our City, for years to come. Please work to improve the ordinance before you approve.

Thank you.

GRT

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