
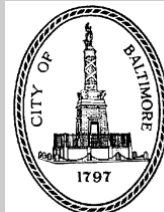


F R O M	Name & Title	Reginald Moore Executive Director 	CITY OF BALTIMORE MEMO	
	Agency Name & Address	Baltimore City Department of Recreation & Parks 3001 East Drive, Baltimore, Maryland (MD) 21217		
	Subject :	City Council Bill 24-0507 Study and Report – Infrastructure and Urban Meadows		

DATE: May 1, 2024

TO: The Honorable City Council President Nick Mosby
Members of the City Council
City Hall, Room 400
100 North Holliday Street
Baltimore, MD 21202

I am herein reporting on City Council 24-0507 introduced by Councilman Mark Conway, requiring the Baltimore City Administrator, the Baltimore Office of Sustainability, and the Baltimore Commission on Sustainability to submit a report to the Mayor and City Council assessing the costs and benefits of installing and maintaining 100 acres of low- maintenance and self-sustaining native plant communities (otherwise known as “urban meadows”).

BCRP’s mission is focused on the health and wellness of our citizens as well as the preservation of our natural resources. The exploration of the “urban meadow” and the possible benefits, may give us additional opportunities to advance that agenda.

If you have any questions, please contact Jenny Morgan at jmorgan@baltimorecity.gov.

Tree Removal Mitigation Bill Summary

Introduction

The Baltimore City Department of Recreation and Parks (BCRP) Forestry Division has jurisdiction over, and maintenance responsibility for, the trees within the City's street rights-of-way and on City parkland [park property]. The Forestry Division is the primary agency responsible for the City's goal to increase our tree canopy to 40%.

What is the current Tree Removal Mitigation Policy?

Each year, for various reasons, trees are removed from public streets and parkland and those removals are required to be mitigated for by either replacing the tree(s) or paying a fee-in-lieu amount. Aligned with implementing our 40% tree canopy goal, for or almost two decades, BCRP has administered a policy of inch for inch replacement for trees removed, both in the rights-of-way and parkland. When development activities result in more caliper inches removed than can be replaced on site, BCRP accepts a fee-in-lieu or oversees offsite plantings. Funds accepted as fee-in-lieu are used to increase the City tree canopy – to purchase, plant, and maintain trees, as well as for forest management efforts. This policy is also aligned with the goals of the Forest Conservation Act (FCA) and builds upon the FCA by protecting individual trees that would not otherwise be protected.

Why do we need this bill?

This bill will codify the mitigation requirements for tree removal in the rights of way and on parkland – exactly as they are practiced today. The current code gives jurisdiction over said trees to BCRP Forestry, and says replacement may be required, however, it does not specify any details on replacement. The current code also allows for fines to be administered when trees are removed without a permit or approval.

Adopting this code aligns with implementing the Sustainability Plan's intent to "develop and implement policy to manage parks after construction projects (making sure trees impacted are replaced/mitigated)"; goal to "classify trees and forests as public infrastructure (require the same level of consideration for trees as is currently given to infrastructure such as streets and utility lines)"; and, lastly, achieves the goal to "Adopt a Tree Ordinance."

Adding the mitigation requirement to the code will make permanent the agency's long-standing policy of tree replacement. Additionally, it aligns the City's code with the State's Roadside Tree Permit, which requires replacement.

If this code is not adopted all mitigation fees that have been applied on public lands are vulnerable to challenge in a court of law. For example, the fees paid by BGE to replace several hundred trees removed for a new pipeline could be up for debate in a legal forum.

Bill Specifics:

- Requires inch for-inch replacement for the removal of street trees (in street rights-of-way)
- Requires inch for-inch replacement for the removal of park trees eight inches and above in diameter.
- Accepts fee-in-lieu payment when in-kind replacement is not an option.

- Determines location for where fee-in-lieu funds are deposited and how they are spent.