

# City of Bayfield Heritage Tree Program

## Statement of Purpose

The City of Bayfield is located near the western terminus of the northern hardwood forest ecosystem. In some respects, it is the environment for a transitional forest community as it contains species common to the oak-hickory forest ecosystem to the south and the boreal forest ecosystem to the north. The northern hardwood forest is known for brilliant fall foliage color display. Species typically found in Bayfield area are: sugar maple, red oak, white or paper birch, American chestnut, yellow birch, white ash, eastern hemlock, and eastern white pine.

The Native Americans, who have inhabited the Great Lakes country in recent centuries, are referred to as Woodland Tribes as the culture which they have developed reflects their forested environment. The first Europeans, who frequented this area, came in pursuit of the furbearers which had thrived in the old growth forests. Later immigrants came for the forests themselves; the trees were milled into lumber and the land transitioned into European style agriculture to build and feed a growing nation. The forests continue to provide economic, recreational, and ecological benefits for this country's contemporary inhabitants. It is only fitting that their historical and contemporary contribution be celebrated. A heritage tree program singles out representatives of this history and reminds present day residents and visitors that while much has changed, much has remained the same, and that our residence is rather transitory in comparison to the physical environment and the species it supports.

The urban landscape is one of the remaining refuges where trees are able to achieve noteworthy age, height, and overall size. It is also the area where residents and visitors have the most opportunity to enjoy these unique specimens of nature. At the same time urban trees are at risk for injury and even removal in the face of commercial and residential development, utility and street repair and maintenance, and human activity in general. The urban forest provides aesthetic, botanical, ecological, and historical value to the city landscape. As such, they warrant appropriate designation and particular protection.

Heritage trees make particular contributions to the urban landscape in their own right and as representatives of the urban forest. Aesthetically, they enrich the viewed landscape by framing vistas and softening the visual impact of human development within the natural environment. Species specific to an immediate bioregion remind contemporary residents of the history upon which the present rests and, in their own way, demand respect for that history. The role of mature trees in the oxygen-carbon dioxide cycle can not be under estimated in terms of their contribution to the physical health and well-being of the environment and the full array of living organisms which share that environment.

## Program Description

For the purposes of the City of Bayfield Heritage Tree Program, a **heritage tree** is a large, individual tree of unique value and characteristics. These include: age, size, uniqueness, and rarity as determined by the individual species. In addition, actual and potential historical significance and location are also to be considered. This program will focus exclusively on street trees and those located in parks, playground areas, other public lands within the city and on private and public property within the immediate vicinity of the Brownstone Trail and the Bayfield Waterfront Walk. The Brownstone Trail and the Waterfront Walk are included here because of the public's access to these areas and the desire to promote their use by residents and visitors. For the purpose of this program a street tree is defined/described as: **[Insert the legal description of a street tree, including those areas of the city without curbs and sidewalks and in alleyways. It is critical that property owners within the city are able to clearly identify which trees are the sole responsibility of the city and those which are the responsibility of the private property owner].**

Upon the recommendation of the Tree Board, the Bayfield City Council shall designate individual trees, which meet the stated criteria and have been so nominated by the Tree Board, as a heritage tree. In the first year that this program is operational, no more than ten trees will be recommended by the Tree Board for this distinction. In subsequent years, no more than five additional trees shall be recommended each year. Suggestions of individual trees for consideration may be made by members of the Tree Board, any city official or employee, or members of the general public, not limited by legal residence. The Tree Board will evaluate all trees suggested and forward their final recommendations/nominations to the City Council.

The Tree Board will actively engage with the Parks and Recreation Committee when considering any trees located in the areas of the city over which that committee has jurisdiction. The pertinent city departments and civic organizations will also be consulted when the Heritage Tree Program and its implementation impacts areas over which these departments and organizations exercise responsibility. These include, but are not limited to: Bayfield Civic League, Bayfield Regional Conservancy, and the Waterfront Walk Committee. The Tree Board will establish an annual calendar during which it will complete the process of evaluating, selecting, and recommending individual trees to be designated by the City Council as heritage trees. This calendar will be shared with the appropriate city departments and bodies and the general public.

The Tree Board will publish and revise as needed a guide to the city's heritage trees. This publication will be made available to the general public to assist in their enjoyment of the city's natural environment and to call their attention to one of many elements that so easily can be taken for granted and whose significance become evident only in their absence. The guide will include: location (address), species, estimated age, noteworthy characteristics, and known historical information.

### **Program Implementation**

The designation as a heritage tree is twofold: (1) to promote community awareness and enjoyment of particularly noteworthy trees within the city, and (2) to protect and preserve such trees so that they may continue to enhance the cityscape and enrich the environment. As noted above, the urban environment presents significant challenges to the health and longevity of trees in this setting. Attention must be given to human activity to minimize these challenges, to compensate for those that are unavoidable, and to negotiate conflicting visions for land use and the urban ecology.

Heritage trees shall not be removed without consultation with the City Forester and, as needed, with the assistance of a knowledgeable professional arborist. The primary accepted rationale for removal will be disease, storm damage, or deteriorating condition that presents an identifiable risk to the general public, nearby structures, and/or other trees in the area. Removal is defined as the physical removal or a significant harm to the survival of the tree through damage, poisoning, or other action. Such actions include: excessive pruning or trimming and disturbances within the drip line that impair the health, diminishes the esthetic value or shortens the life expectancy of the individual tree.

Construction and other activities within the drip line of the tree are to be undertaken in such a manner that damage to the root system is avoided or minimized and that a healthy physical environment for the root system is maintained. Street maintenance and repair and utility work can have significant impact on street trees; landscaping and other activities by adjacent property owners are also of concern. In all instances, steps are to be taken to protect the integrity of the tree and its immediate environment. Building permits, construction bids/contracts, and similar vehicles available to city government will identify heritage trees in the area of any proposed activity and provide guidance to the contractor, property owner, and/or responsible party.

In the event a designated heritage tree is intentionally or accidentally harmed or removed without the consultation and approval of the City Forester and/or the failure to comply with the constraints of a building, construction, or other permit/contract, restitution shall be negotiated with the responsible party. The preferred

vehicle for restitution shall be all of the assumption of all costs by the offending party associated with a replacement tree or trees at the same site or at one or more alternate sites. (This expectation is not to be interpreted as a one-for-one exchange, that is, one replacement tree for each heritage tree removed or placed at serious risk for loss because of damage to the tree and/or its immediate environment.) The final approval of any and all restitution negotiations shall rest with the City Council in consultation with the City Forester and, as needed, with the Tree Board.

In order to establish and maintain a record of consultations, recommendations, and negotiations with the City Forester with respect to the care, maintenance, and/or removal of designated heritage trees, the City Forester or his/her designee shall draft a written summary of the discussions and the agreed upon action. This correspondence shall be shared with all affected parties and a copy to be forwarded to the Tree Board so that it can be entered into the minutes of the board at a subsequent meeting. Restitution agreements negotiated under the auspices and authority of the Heritage Tree Program will be similarly recorded.

### **Responsibility and Liability**

No elements of the City of Bayfield Heritage Tree Program shall impose or imply any liability for damages or a duty for care or maintenance upon the city, its officers, or employees beyond that which is already in place. The private property owner has the responsibility to provide for safe and healthy conditions for heritage trees located on or adjacent to his/her property. The property owner is expected to bring any safety concerns to the attention of City Hall, who shall alert the proper city official or employee so that the situation can be remediated. Safety concerns include real and potential risks to residents, to visitors, to structural improvements on the property, and to the health and survival of the tree itself.

### **Fiscal Impact/Budgetary Considerations**

Modest recurrent expenses are foreseen in the development and implementation of a Heritage Tree program. The primary expenses will be related to the purchase of the services of an arborist and a tree service for the care and maintenance/pruning and removal of designated heritage trees. Since the care of these trees is already the responsibility of the city, the additional expenses will reflect the services that are deemed appropriate for a designated heritage tree or a tree deemed eligible for such a designation.

### **Conclusion**

Local individual trees, determined to be noteworthy by reason of their age, size, uniqueness, and/or rarity, warrant their own designation as do the other outstanding and specific elements of the Bayfield Peninsula, which we call home and to which we welcome numerous visitors. A Heritage Tree Program within the City of Bayfield is one more way to call attention to the beauty and uniqueness of the local environment and to assist both residents and visitors in more fully appreciating and enjoying the specialness of this place.

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