



To enrich the lives of our diverse community by providing quality parks, facilities and programs for recreation, education and wellness.



Tree Protection Policy

Approved TBD, 2024

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*International Society of Arboriculture

1.1 STATEMENT OF PURPOSE

This Section of the policy is structured to preserve, protect and enhance critical infrastructure – the portion of the urban forest which is in the River Trails Park District (“District”) boundaries. The complete urban forest is comprised of trees across all land uses and ownership on public and private land. This Section will regulate District property trees but recognizes that trees on public and private property are part of the collective community resource.

The purpose of this Section is to recognize the services and function that trees provide as a collective asset to the entire community and to state the goals of the District with respect to the protection, preservation, care, and planting of trees in the District.

Specific goals of this section are to:

- A. Protect, preserve and enhance the quality of life and general welfare of the District, its patrons, and residents of the Village of Mount Prospect and the City of Prospect Heights; and conserve and enhance the District’s natural, physical and aesthetic environment.
- B. Preserve, protect, and enhance the urban forest to ensure that trees are properly planted and maintained within the District so that trees can protect, enhance, and preserve the quality of life for patron of District and its residents.
- C. Recognize that trees are an integral part of the infrastructure of the District and as such should be preserved, protected, and cared for as other critical District infrastructure.
 - a. Trees absorb pollution from the air
 - b. Trees absorb and sequester carbon dioxide
 - c. Trees absorb and filter pollution from stormwater run-off
 - d. Trees produce oxygen
 - e. Trees reduce flooding
 - f. Trees stabilize soils and reduce erosion
 - g. Trees improve property values
 - h. Tree-filled parks improve commercial District buyer traffic and purchasing
 - i. Areas with trees have higher levels of community interaction
 - j. Trees provide important habitat for birds and other wildlife
 - k. Trees protect and enhance our quality of life
- D. Trees provide the District collective benefits that extend beyond property boundaries throughout the entire Village of Mount Prospect and the City of Prospect Heights as well as suburban Cook County.
- E. Recognize that larger trees provide larger benefits. When a large tree is removed and replaced with a smaller tree the benefits and services are reduced.
- F. Recognize that some trees may be in a condition that constitutes a threat, danger or nuisance to the public or property within the district or may be dangerous to the health of other trees and vegetation in the District.

1.2 DEFINITIONS

ARBORIST	An individual experienced in the profession of forestry or a related field and is licensed or certified in forestry by an accredited forestry industry body, e.g. International Society of Arboriculture.
BUCKTHORN:	An undesirable exotic invasive ornamental shrub introduced to North America. This species inhabits woodlands and savannas where it dominates the landscape prohibiting the development of native trees and plants. There are six species of buckthorn listed in the Illinois Exotic Weed Act, which prohibits the sale, distribution, or planting of this species, <i>Rhamnus cathartica</i> , <i>daurica</i> , <i>frangula</i> , <i>arguta</i> , <i>utilis</i> , and <i>japonica</i> .
BUILDING ACTIVITY AREA:	The portion of a property within which development activity, including grading, excavation, storage of materials, construction access and construction of both main buildings and unattached structures.
CANOPY:	The upper portion of a tree is sometimes called the crown. This section of the tree usually contains branches and leaves.
CONTRACTOR:	A company or individual contracted to perform services.
DAMAGE:	Impact or loss of function to any tree including but not limited to: removal, root compaction, root removal, girdling, soil contamination, topping, pruning more than 20% of the trees, canopy removal, bark removal, poisoning and or/ actions resulting in the decline or death of a tree.
DEVELOPMENT:	Any proposed change in the use or character of land, including, but not limited to the replacement of any structure or site improvements, e.g. irrigation installation, driveway replacement, installation of a retaining wall among others. When appropriate to the context, development may refer to the receipt or necessity of any building, tree, or site work permit.
DIAMETER AT BREAST HEIGHT:	The diameter of the trunk of the tree measured in inches at a point 4.5 feet above the ground line. This forestry standard measurement is used for established and mature trees and is referred to as "DBH". All reference to diameter size shall be to the DBH.
FORESTER:	An individual trained and experienced in the profession of forestry who has a forestry degree from an institution of advanced education, or equivalent experience as a subject matter expert.
INFRASTRUCTURE:	The basic underlying framework or features that provide collective services, including but not limited to roads, waterlines, storm sewers, bioswales, and trees.

INVASIVE SPECIES:	An introduced or exotic species that significantly modifies or disrupts the ecosystem in which it colonizes (e.g. buckthorn).
LANDSCAPE:	Vegetation and hardscapes installed and maintained by the District.
MANAGEMENT PLAN:	A plan approved by the District outlining strategies for care and management of a specific type of landscape.
NUISANCE TREES:	Nuisance trees are trees that may impact other trees, people, or structures. This would include, but not be limited to, diseased, infested, structurally unsound trees or known invasive or aggressive species.
PARCEL:	A single parcel shall mean any lot of record, zoning lot or any grouping of adjacent lots under single ownership, serving a principal structure or use.
PREFERRED TREE LIST:	A listing of tree species, identified in the District and certified Arborist for sites and parks around the District.
PROPERTY OWNER:	An individual or organization who owns property located within the corporate limits of the Village of Mount Prospect or the City of Prospect Heights.
SIGNIFICANT TREE REMOVAL:	Removal of a grouping/stand of trees.
SIMPLE TREE REMOVAL:	Removal of a tree without other associated site impacts or other site improvements.
SITE:	That parcel of land for which landscaping changes or tree removal is sought.
TRANSPLANTING:	The removal of any tree for replanting elsewhere.
TREE:	Any self-supporting woody plant, together with its root system, trunk, and canopy; growing upon the earth usually with one trunk, or a multi-stemmed trunk system, supporting a formed crown.
TREE PRESERVATION PLAN	A document required during construction activities which identifies, by common name and/or scientific name, certain species of trees of a specified DBH within a particular area. The plan shall list all existing and proposed trees and shall specifically state how each tree is proposed to be destroyed, relocated, replaced, preserved at its present location, introduced into the site from an off- site source, and whether the tree is to receive remediated actions due to construction impacts, e.g. root pruning. The District may provide that the tree preservation plan excludes those portions of the site which it determines will not be affected by the activity. Any tree preservation plan required by this Section must be dated within thirty-six months of the start date of the proposed activity.
TREE REMOVAL	The cutting down, destruction, removal, or relocation of any tree, including damaging by poison or other direct or indirect action.

1.3 PRESERVATION

- A. Any urban forestry work completed by a contractor within the District shall be under the direction of a certified arborist or forester.
- B. The District shall have an urban forest inventory of owned trees. This inventory shall be maintained in its current state. Re-inventory may be required every 5-7 years unless the inventory is updated with the pruning cycle or is updated as part of routine tree maintenance.
- C. The District shall have an Urban Management Plan. This plan shall be the framework for the protection, management, and planting of trees within the District and shall support and clearly define regulations identified in the Tree Preservation Policy. This plan shall include the following:
 - a. Clear guidelines on tree species and age diversity.
 - b. Clear identification of replacement value and requirements for tree removal or damage.
 - c. An approved and an unapproved tree list.
 - d. Clearly defined specifications for tree planting, pruning, and impact reduction.
 - e. A risk assessment and management program.
 - f. A strategy for management, preservation, and protection of naturalized areas.
 - g. A strategy for administration and implementation of a volunteer program.
 - h. A forestry budget with one-, five- and ten-year commitments.
 - i. The District should require that any Contractor, working for the District who may interact or have impact on District urban forest have a Certified Arborist on staff, and periodically on site for all work pertaining to trees, including but not limited to removal, pruning and planting activities.
- D. All tree planting, selection and management shall follow the District Tree Plan/Policy.
- E. It is recognized that diverse species and age structure of urban trees throughout the District are critical to the health of the forest structure and protects the District from catastrophic loss and improved longevity. Specifications for species and age diversity, will in recommended from a certified arborist,

1.4 PLANTING

- A. The District shall plant and recommend diverse species with the ratio of not more than *30% of any one family, *20% of any one genus or *10% of any one species, except for naturalized areas where species selections are based on the natural species and conditions of Parks where trees will be installed. Diverse species composition protects the Park District from catastrophic loss.
- B. All trees planted by the District or their agent shall be planted in accordance with the ANSI A300 standards for planting.
- C. Trees purchased by the District shall meet the specifications ANSI Z 60.1 Standards.
- D. Prior written approval from the Superintendent of Parks or the Executive Director is required to plant any plant, tree, or shrub on District property (i.e. scout group request).

- E. The District shall not plant any trees under utility wires that are anticipated to grow to a height that will interfere with the wires.
- F. The District shall provide education and outreach to District patrons/residents on the need for species and age diversity, proper selection, and planting practices, and how to select species for sites.

1.5 TREE CARE AND PRUNING

Tree care within the District, shall comply with all Best Management Practices as defined by the international Society of Arboriculture for Pruning and Maintenance (ANSI A300) Pruning trees is essential for maintaining tree vitality and preventing hazards. Pruning guidelines shall include the following as set forth by the ISA best practices and guidelines.

- A. Prune for a Purpose: Clearly define the objectives of the pruning, whether it's for safety, health,
- B. aesthetics, or clearance.
- C. Understand Tree Biology: Familiarize yourself with the biology and growth habits of the tree species you're pruning. Different trees have different requirements.
- D. Timing: Prune trees during their dormant season whenever possible, as this minimizes stress to the tree. Avoid pruning during periods of active growth or extreme weather conditions.
- E. Proper Tools and Equipment: Use the right tools and equipment, such as sharp and clean pruning shears, saws, and safety gear. Keep tools well-maintained to ensure clean cuts.
- F. Pruning Cuts: Make proper pruning cuts that are clean, without tearing or damaging the bark. Common types of cuts include a. Thinning cuts: Remove branches at their point of origin, leaving the branch collar intact. b. Heading cuts: Reduce the length of branches by cutting back to a lateral branch or bud.
- G. Branch Collar Preservation: Leave the branch collar intact when making pruning cuts. The branch collar is the slightly swollen area where a branch attaches to the trunk. This helps with wound closure.
- H. Avoid Topping: Topping, or removing large portions of the tree's crown, is harmful to trees and should be avoided. Instead, use selective pruning methods to reduce canopy size.
- I. Prune to Maintain Natural Form: Preserve the tree's natural form and avoid excessive shaping. Pruning should enhance, not alter, the tree's growth pattern.
- J. Remove Dead or Hazardous Branches: Prioritize the removal of dead, diseased, or structurally weak branches to improve tree safety and health.
- K. Consider the 3 Ds: Prune for dead, diseased, and damaged branches to promote overall tree well-being.
- L. Maintain Safe Distances: When pruning near utility lines, maintain safe distances or contact utility companies for assistance.

- M. Limit the Amount of Live Tissue Removed: Avoid removing more than 25% of the tree's live foliage in a single pruning event to minimize stress on the tree.
- N. Regular Inspection: Periodically inspect your trees to identify potential issues that may require pruning, such as crossing or rubbing branches.
- O. District staff will be formally trained in house prior to tree pruning.

1.6 TREE PROTECTION

This Section applies to any work or activity which may impact District trees.

- A. Unless otherwise authorized by this Section, it shall be unlawful for any person to remove, injure or undertake any procedure which will cause death, substantial damage, or create a hazard, to any District tree without first obtaining written approval from the District.
- B. In the event of any site improvement which may impact District property trees, a Tree Preservation Plan is required, must be approved by District staff or the Forestry Consultant, and implemented prior to the start of any work or delivery of any materials to the building activity area. The approved Tree Preservation Plan shall be available on the site throughout the entire construction period until final approvals for all site work shall be received in writing. The tree preservation plan shall include a report that includes a survey of all trees on the site, a plan for replacements, installation, and maintenance. This report should be submitted to the District at the time of the first construction meeting.

In instances where the activity requires the use of heavy equipment and where that activity may impact trees on District property, all appropriate tree protection measures must be taken and identified in the Tree Preservation Plan. In addition, all tree protection measures shall include the following when trees have been designated for preservation during construction; All trees on District property that are designated for preservation near any excavation or construction of any building, structure, or construction shall be protected to avoid all injury to the trunk, crown, and unnecessary injury to the root system of the tree. The critical root zone of a public tree shall be at a distance in feet from the tree equal to the DBH of the tree trunk in inches and shall be designated and protected using snow fencing or other protective measures approved by the Superintendent of Parks or Executive Director.

Building materials, stone, brick, sand, concrete, soil, or other debris shall not be placed or stored on or in the critical root zone area of any District tree on District owned property, without written authorization from the Superintendent of Parks or Executive Director obtained prior to storing any such materials or debris.

1.7 BOUNDARY TREES / SHARED TREES

This section applies to trees which appear to be shared property between a District property and a neighboring property of differing ownership.

- A. Any tree which has any portion of average trunk diameter, not including surface or buttress roots, on 2 or more properties shall be considered a Boundary Tree, and Shared Property.
- B. The District shall consult with joint tenants of Boundary Trees prior to executing any maintenance activities or tree removals upon those trees and attempt to gain consent of the joint tenant prior to proceeding with such work.

- C. Joint tenants with the District concerning ownership of a tree may, under Illinois law, remove limbs on their side of the property line, and the District may do the same.
- D. Should the removal of limbs result in loss of the tree, either party may seek civil damages for loss of the tree if the other party is not consulted prior to commencement of work.

1.8 TREE REMOVAL

Tree removals are considered an impact to the entire District. It is clearly documented that larger trees provide larger benefits. It is recognized that the planting of smaller trees does not replace the value of larger trees that are lost. It will take tens of years for that value to be replaced and for that reason efforts should be made to preserve and protect the trees where they are growing.

- A. It shall be unlawful for any individual to remove or cause damage to any tree located on District property without written approval from District.
- B. Any tree removed from District owned property or transplanted offsite should be replaced according to planting instruction within this policy.
- C. All stump removals shall require underground utility locations prior to any action.
- D. If a tree is removed or damaged by a resident or developer without written approval from the District that includes installation and maintenance, it must be replaced with an approved by District staff with a species as set forth by the plan.

1.9 TREE REPLACEMENT

- A. It is required that tree replacement species come from the Preferred Species List. The Preferred Species List is provided in this policy and is dependent upon location. The District staff will always review requests and will approve requests dependent upon location and condition of soil at all District parks.
- B. As the sole property owner of all District-owned land in the District, the following regulations shall be self-imposed when the District makes improvements on its land. The District shall be responsible for holding its contractors and vendors to its internal standards. These standards have no application on private property or with privately owned trees
- C. Any tree species of any size in landscaped areas which is removed, or any 6" DBH or 6" group of trees in a natural area which is removed, which is not identified on the unapproved species list, is required for replacement by this Section.
- D. When a tree removal is required because of any project, tree replacement shall occur at the rate of 2" for every 1" of tree diameter lost for approved species, and 1" for every 1" of tree diameter lost for unapproved species.
- E. All tree replacement plantings shall require an underground utility location prior to planting.
- F. Final planting locations of replacement trees shall be at the discretion of Superintendent of Park, Executive Director or a Forestry Consultant and be consistent with the goals outlined in this plan/policy.

- G. It shall be encouraged that any species identified as invasive species in Illinois be removed. There is no replacement requirement for these removals.

1.10 PENALTIES FOR DAMAGED TREES

The following penalties and fees may be charged at the discretion of the District for unlawful removal of or damage to its trees, either fully owned or jointly owned under Illinois law. These monies can be utilized for tree replacement or other Forestry-Related services at the discretion of the Executive Director or Superintendent of Parks.

For trees up to 18" in Diameter, The District may charge up to \$200 per caliper inch.

For trees over 18" in Diameter, where values may be significantly higher, the above formula may not accurately reflect value. In these cases, District should retain the services of a Consulting Arborist to perform a formal appraisal according to the CTLA's 10th Guide to Plant Appraisal to accurately capture value.

No single tree shall be appraised for a loss at greater than 5% of the real market value of the parcel on which it stands.

1.11 TREE PRESERVATION AND/OR REMOVAL PLAN FOR SIGNIFICANT REMOVALS, CONSTRUCTION AND/OR DEVELOPMENT

Significant tree removals or tree removals and/or planting related to construction and/or development shall comply with all requirements of this plan or an Urban Forest Management plan once developed and approved.

In the case of significant tree removals or tree removal and/or planting related to construction and/or development, the Staff Arborist or Forestry Consultant shall review and approve planned removals and plantings.

1.12 INVASIVE SPECIES CONTROL

A. INVASIVE WOODY PLANTS

- a. Invasive plants cause ecological disruption to natural ecosystems. The type of impact varies based on the species and the traits of that species. These species shall not be planted and should be removed and controlled to reduce impacts to other vegetation.
- b. Typical impacts include:
 - i. Chemical disturbance to the soil limits development of other species.
 - ii. Dense plant growth limiting light to soil surface resulting in exposed soil allowing erosion.
- c. Displacement of naturally occurring species resulting in a monoculture of invasive species and aggressive tendencies.

1.13 TREE PLANTING, REMOVAL, PRUNING APPROVAL

TREE REMOVAL PROCEDURES

As the sole property owner of all Park District-owned land in the District, the District shall have sole discretion as to trees to be planted, maintained, or removed on its property. The District shall be responsible for holding its contractors and vendors to its internal standards. The administrator of this chapter shall be the responsibility of the Executive Director or their designee. No resident or other party may apply for permission to remove, maintain, or plant trees on District owned land. The District Arborist shall approve proposed tree removals only when other mitigation options are unavailable or unacceptable. The District Executive Director or their designee shall approve or disapprove of tree planting, removal and pruning work performed by its hired contractors by written authorization.

1.14 FINAL INSPECTION

Final approval shall be issued when all relocation, replacement or remediation of trees is completed by contractors, and a final inspection has been conducted by the District. Should the District determine that the season is inappropriate for planting then relocation or replacement shall be deferred until the next planting season.

1.15 EXCEPTIONS

If because of emergency weather or other casualty conditions a tree is endangering health, safety or property and requires immediate removal, verbal authorization may be given by the District for the tree removal without obtaining written approval. Such verbal authorization shall later be confirmed in writing by the District.

1.16 APPEALS FOR VARIANCE

Any person aggrieved by any decision of the District in the enforcement of any terms or provisions of this Section may, within ten working days after the date of the decision, appeal to the Executive Director by filing a written notice of appeal with the District. The notice of appeal shall set forth concisely the decision and the reasons or grounds for the appeal. The Executive Director may make a recommendation to the District to affirm, modify, or reverse the decision. The decision of the District shall be final and no petition for rehearing or reconsideration shall be available. Reasonable notice of the hearing by the Executive Director shall be provided by the District to all affected parties.

1.17 CIVIL REMEDIES

In addition to any other remedies provided by this Section, the District shall have the following judicial remedies available for violations of this Section or any condition promulgated under this Section.

- A. The District may institute a civil action in a court of competent jurisdiction to establish liability and to recover damages for any injury caused by the removal or damage of trees in contravention of the terms of this Section.
- B. The District may institute a civil action in a court of competent jurisdiction to seek injunctive relief to enforce compliance with this Section to enjoin any violation, and to seek injunctive relief to prevent irreparable injury to the trees or properties encompassed by the terms of this Section.

1.18 LIABILITY INSURANCE CONTRACTS-VENDORS

Any contractor working on trees on District Property shall obtain Commercial General Liability Insurance (CGL) and, if necessary, commercial umbrella insurance with a limit of not less than \$2,000,000 each occurrence. If such CGL insurance contains a general aggregate limit, it shall apply separately to this project/location.

CGL insurance shall be written on Insurance Services Office (ISO) occurrence form CG 00 01 10 93, or a substitute form providing equivalent coverage, and shall cover liability arising from premises, operations, independent contractors, products-completed operations, personal injury and advertising injury, and liability assumed under an insured contract (including the tort liability of another assumed in a business contract).

The District shall be included as an insured under the CGL, using ISO additional insured endorsement CG 20 26 or a substitute providing equivalent coverage, under the commercial umbrella, if any. This insurance shall apply as primary insurance with respect to any other insurance or self- insurance afforded to District.

Company shall furnish the District with a certificate(s) of insurance and applicable policy endorsement(s), executed by a duly authorized representative of each insurer, showing compliance with the insurance requirements.

1.19 OVERSIGHT & AUTHORITY

- A. The Executive Director or a specified designee will have authority in enforcing the ordinance and all elements of this plan. To streamline operations, tasks will be assigned to various staff, contractors, and consultants.
 - a. The Superintendent of Parks is responsible for overseeing and coordinating the activities of both in-house staff, outside contractors or consultants, and volunteers. The Superintendent of Parks will oversee maintenance of the GIS system and be the liaison with the contracted vendor of tree inventory software.
 - b. The Executive Director is tasked with making sound decisions about funding, and plan implementation.