



# FOREST PRESERVES OF WINNEBAGO COUNTY

## TREE PRESERVATION POLICY

Approved 1/17/2024

### Table of Contents

1.1 STATEMENT OF PURPOSE.....	2-3
1.2 DEFINITIONS.....	3-4
1.3 APPLICABILITY.....	4
1.4 AUTHORITY AND ENFORCEMENT.....	4
1.5 PERSONNEL REQUIREMENTS.....	4-5
1.6 TREE PLANTING AND MAINTENANCE.....	5
1.7 TREE REMOVAL.....	5-6
1.8 TREE PROTECTION.....	6
1.9 PENALTIES FOR TREE DAMAGE.....	7
1.10 SEVERABILITY.....	8
ATTACHMENT ONE: Approved species list.....	9-12
ATTACHMENT TWO: Restricted species list.....	13

## 1.1 STATEMENT OF PURPOSE

This policy is structured to preserve, protect and enhance critical infrastructure – the urban forest that is located on public land. The complete urban forest is comprised of trees across all land uses and ownership. This policy will regulate trees located on land owned by the Forest Preserves of Winnebago County but also recognizes that trees on private property are part of the collective community resource.

The purpose of this policy 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 Forest Preserves of Winnebago County, hereafter called, “the District” with respect to the protection, preservation, care, and planting of trees within the forest preserves.

Specific goals of this section are to:

A. Protect, preserve, and enhance the quality of life and general welfare of the residents of Winnebago County, and conserve and enhance the Forest Preserve’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 Forest Preserves of Winnebago County so that trees can protect, enhance and preserve the quality of life for people in Winnebago County.

C. Recognize that trees are an integral part of the infrastructure of the Forest Preserves of Winnebago County and as such should be preserved, protected, and cared for as other critical Forest Preserve infrastructure. Some of the many benefits associated with trees and the urban forest include:

- 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 cool the surrounding area helping to reduce impacts due to heat islands;
- h. Trees reduce energy consumption by shielding structures from harsh winds and sun;
- i. Trees provide a buffer and screen against noise, light and pollution;
- j. Trees improve property values;
- k. Trees improve commercial district buyer traffic;
- l. Areas with trees have lower crime rates;
- m. Areas with trees have higher levels of community interaction;
- n. Trees provide important habitat for birds and other wildlife; and
- o. Trees protect and enhance our quality of life.

D. Trees provide collective benefits that extend beyond property boundaries throughout the entire Winnebago 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 have a condition that constitutes a threat, danger or nuisance to the public or property within the Forest Preserves of Winnebago County or may be dangerous to the health of other trees and vegetation in the Forest Preserves.

## **1.2 DEFINITIONS**

**AMERICAN NATIONAL STANDARDS INSTITUTE** A private nonprofit organization that oversees the development of voluntary consensus standards for products, services, processes, systems, and personnel in the United States.

**APPROVED SPECIES LIST** A list of tree species that are allowed to be planted in Forest Preserves without the need to grant an exception to the Tree Preservation Policy

**BUILDING ACTIVITY AREA** The portion of a property within which development activity, including grading, excavation, storage of materials, construction access, and construction or renovation of structures may occur.

**CERTIFIED ARBORIST** An individual who meets the qualifications set forth by the International Society of Arboriculture who may provide a variety of tree care services, including removal, pruning, fertilization, cabling, and pest management.

**CONSULTING ARBORIST** An individual who meets the qualifications set forth by the American Society of Consulting Arborists, who possesses the required knowledge to prepare detailed reports regarding tree protection, tree risk assessments, and value appraisals.

**DAMAGE** Impact or loss of function to any tree including, but not limited to, removal, root compaction, root removal, girdling, soil contamination, topping, excessive pruning, canopy removal, bark removal, poisoning, or any action that may result in the decline or death of a tree.

**DIAMETER AT BREAST HEIGHT** The diameter of the trunk of the tree measured in inches at a point 4.5 feet above 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 unless otherwise specified.

**FOREST PRESERVE** Any property owned by the Forest Preserves of Winnebago County, including all natural and maintained areas, golf courses, campgrounds, and lands covered under partnership agreements.

**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

**LATERAL LIMB** Any branch that grows from the trunk of a tree or along the length of any other branch.

**NUISANCE TREE** Nuisance trees are trees that may negatively impact other trees, people, or structures. This includes, but is not limited to, diseased, infested, structurally unsound trees, or known Invasive Species.

**RESTRICTED SPECIES LIST** A list of species that shall not be planted on Forest Preserve property

**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 definitely formed crown.

**TREE PRESERVATION PLAN** A written document prepared by a qualified arborist that provides information on tree species, location, condition, suitability for preservation, and protective measures required prior to the commencement of any construction project that may jeopardize trees that are desired to be saved.

**TREE REMOVAL** The cutting down, destruction, or relocation of any tree, including damaging by poison or other direct or indirect action.

**TRUNK** The main stem of the tree below the branches

**URBAN FOREST** A forest, or a collection of trees, that grow within or surrounding a city, town, suburb, or municipality.

### **1.3 APPLICABILITY**

This policy shall apply to all trees located on land owned by the Forest Preserves of Winnebago County, including all natural and maintained areas, golf courses, campgrounds, and lands covered under partnership agreements.

### **1.4 AUTHORITY AND ENFORCEMENT**

The Director of Natural Resources, under the direction of the Executive Director of the Forest Preserves of Winnebago County and its Board of Commissioners, shall be responsible for the development, implementation, and enforcement of the Tree Preservation Policy.

### **1.5 PERSONNEL REQUIREMENTS**

The Forest Preserves of Winnebago County is staffed by individuals with experience in tree care, forestry practices, and ecosystem management, along with a dedicated, full-time natural resource department. Should an issue related to the care and management of the urban forest arise, which is outside of the District's scope of expertise, the Forest Preserves of Winnebago County will consult with a Certified Arborist to remedy the issue.

Contractual work for the planting, removal, care, and protection of trees will be awarded as outlined in the Purchasing Policy & Procedures section of the District's Employee Handbook. Preference may be given to vendors with an International Society of Arboriculture Certified Arborist on staff. All vendors shall provide a certificate of insurance which satisfies the requirements outlined in the Purchasing Policy & Procedures section of the District's Employee Handbook.

## **1.6 TREE PLANTING AND MAINTENANCE**

A. The Forest Preserves of Winnebago County shall plant trees from the Approved Species List (Attachment 1) within its natural areas, park areas, and parkways. The District may allow the planting of species not on the Approved Species List at its golf courses, campgrounds, within maintained landscape beds immediately surrounding its facilities, and at Klehm Arboretum & Botanic Garden provided the species is not on the Restricted Species List (Attachment 2).

B. The Forest Preserves of Winnebago County recognizes that planting and maintaining a diverse species composition has many benefits, including increased resistance to pests and diseases, resilience to climate change, and increased wildlife habitat. Species diversity protects the urban forest from catastrophic canopy loss. The District will strive to plant a diverse assemblage of tree species, while being mindful of the historic species composition and future climatic conditions of a site.

C. The Forest Preserves of Winnebago County recognize that diverse age structure of trees is critical to the health of the forest structure and protects the Forest Preserves from catastrophic loss. Proper care and management of the urban forest is critical for increased longevity of urban trees and shall be in compliance with the most recent edition of American National Standards Institute.

D. Trees purchased by the Forest Preserves of Winnebago County shall be of a quality consistent with the most current American Standards for Nursery Stock as approved by the most current edition of ANSI Standard Z60.1.

E. All tree care shall be consistent with the generally accepted industry standards for tree care practices as found in the most current edition of ANSI 300. Specifically;

a. Tree pruning shall be of a quality consistent with the standards found in the most current edition of ANSI A300 part 1.

b. All trees planted by, or under the direction of, the Forest Preserves of Winnebago County shall be planted consistent with the standards found in the most current edition of ANSI A300 part 6.

## **1.7 TREE REMOVAL**

Tree removals are an impact to the entire urban forest, whether on public or private land. It is clearly documented that larger trees provide larger benefits and as such, tree removal fees and fines are based on diameter (See Penalties for Tree Damage). It is recognized that newly planted trees will take decades

to provide ecosystem services equivalent to mature trees and for this reason efforts should be made to preserve and protect trees where they are growing.

Tree removal is a necessary component of ecological restoration. The District may remove living, healthy trees as part of a natural resource management plan, for reasons including:

1. To restore the historic species composition of a site (e.g. removing mesophytic trees species from an oak / hickory woodland)
2. To prevent succession from occurring in sites the District desires to maintain free of trees
3. To alter canopy cover to increase the coverage of understory plants and allow for the regeneration of desirable tree species

The District may remove any nuisance tree that threatens the safety of preserve patrons or District infrastructure. Trees that are dead, dying, or otherwise unsound, that do not pose a risk to the public, adjacent landowners, or preserve infrastructure shall be left standing as wildlife habitat.

## **1.8 TREE PROTECTION**

This Section applies to any work or activity which may have a negative impact on a Forest Preserve of Winnebago County tree.

- A. Unless otherwise authorized by this Policy, 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 tree located in a Forest Preserve.
- B. The District may require a Tree Preservation Plan in the event a site improvement may impact a tree that is desired to be saved. This plan must be approved, 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 plan may include any of the following components;
  - a. Protective fencing is required for protection of any tree to be preserved in place. Fencing shall be installed at a minimum distance of one-foot, for every inch DBH of the tree, from the trunk of the tree. In the instances of tree pits, fencing shall be located at the edge of pavement. This fencing shall be orange snow type fencing, a minimum of 4 feet in height and held in place by metal posts driven into the ground no more than 10 feet apart.
  - b. All protective fencing shall be in place before any construction or material delivery is to take place. All protective fencing shall remain in place until final approval of all site conditions is given in writing.
  - c. No tree shall be impacted within the protective fencing area, including the tree canopy.
  - d. No equipment or materials shall be parked, driven or stored within the protective fencing area or on the root zone of any tree.

## 1.9 PENALTIES FOR TREE DAMAGE

All fines, penalties, and civil remedies within the General Use Regulations are set forth by Ordinance by the Forest Preserves of Winnebago County's Board of Commissioners. Per the Forest Preserves of Winnebago County's General Use Regulations, "No person shall upon or in connection with any property of the Forest Preserves cut, remove, uproot, or destroy any tree, sapling, seedling, bush, shrub, flower, or plant, whether alive or dead; or chip, blaze, box, girdle, trim, or otherwise deface or injure any tree, shrub or bush, or break or remove and branch or foliage thereof."

Any person found guilty of violating any of these provisions of the General Use Regulations shall be assessed a fine of no more than \$1,000, as allowed in Section 7B of the Forest Preserve's General Use Regulations. Such fine shall not preclude the District from pursuing additional civil penalties in the form of restitution for vandalism or damage to District property. Damage to trees will be assessed according to the following:

<u>Diameter</u>	<u>\$ per Inch</u>
0-6"	\$100
6.1 - 15"	\$200
15.1" <	\$400

Should a tree be removed completely or experience Damage to the trunk, the compensatory value will be calculated based on the diameter at breast height (DBH) or diameter of the cut surface, whichever is lower in height.

In the event of the removal of or Damage to lateral limbs, the compensatory value will be determined based on the diameter of the lateral limb(s) six inches from where the limb departs the trunk or the cut surface, whichever is closest to the trunk. If the aggregate diameter of damaged or removed limbs on a single tree exceeds the DBH of that tree, the DBH of the tree will be used to determine the compensatory value.

Each tree cut down, destroyed, damaged, removed or moved shall constitute a separate offense. If the value of a tree is believed to exceed the compensatory value calculated according to this section, the District may at its sole discretion seek an independent appraisal of the tree's value from a Consulting Arborist.

Any fine or penalty collected by the District for the loss or damage of trees shall be used, wholly or in part, to replace the trees for which restitution was made. Any funds that exceed the cost to purchase, plant, and maintain a replacement tree shall be deposited into the general fund.

This section shall not apply to any individual, group, or organization that is removing any species on the Restricted Species List or conducting ecological restoration work under the direction of, or with written approval of, the Forest Preserves of Winnebago County.

#### **1.10 SEVERABILITY**

The provisions of this policy shall be deemed to be severable and invalidity or unenforceability of any provisions shall not affect the validity and enforceability of the other provisions hereof.



ATTACHMENT ONE: Approved Species List

Scientific Name (Accepted Binomial)	Preferred Common Name & Spelling	Native to Winnebago County
<i>Acer floridianum</i>	Florida maple	N
<i>Acer negundo</i>	boxelder	Y
<i>Acer nigrum</i>	black maple	Y
<i>Acer rubrum</i>	red maple	Y
<i>Acer saccharinum</i>	silver maple	Y
<i>Acer saccharum</i>	sugar maple	Y
<i>Aesculus flava</i>	yellow buckeye	N
<i>Aesculus glabra</i>	Ohio buckeye	N
<i>Aesculus pavia</i>	red buckeye	N
<i>Alnus rugosa</i>	speckled alder	Y
<i>Alnus serrulata</i>	hazel alder	N
<i>Amelanchier arborea</i>	downy serviceberry	Y
<i>Amelanchier interior</i>	inland serviceberry	Y
<i>Amelanchier laevis</i>	Allegheny serviceberry	Y
<i>Amelanchier sanguinea</i>	roundleaf serviceberry	Y
<i>Aralia spinosa</i>	devils-walkingstick	N
<i>Asimina triloba</i>	pawpaw	N
<i>Betula alleghaniensis</i>	yellow birch	Y
<i>Betula nigra</i>	river birch	N
<i>Betula papyrifera</i>	paper birch	N
<i>Betula populifolia</i>	gray birch	Y
<i>Carpinus caroliniana</i>	American hornbeam	Y
<i>Carya aquatica</i>	water hickory	N
<i>Carya cordiformis</i>	bitternut hickory	Y
<i>Carya glabra</i>	pignut hickory	N
<i>Carya illinoensis</i>	pecan	N
<i>Carya laciniosa</i>	shellbark hickory	N
<i>Carya ovalis</i>	red hickory	N
<i>Carya ovata</i>	shagbark hickory	Y
<i>Carya pallida</i>	sand hickory	N
<i>Carya texana</i>	black hickory	N
<i>Carya tomentosa</i>	mockernut hickory	N
<i>Castanea dentata</i>	American chestnut	Y
<i>Catalpa speciosa</i>	northern catalpa	N
<i>Celtis laevigata</i>	sugarberry	N
<i>Celtis occidentalis</i>	common hackberry	Y
<i>Celtis tenuifolia</i>	Georgia hackberry	N
<i>Cercis canadensis</i>	eastern redbud	N
<i>Cladrastis kentukea</i>	yellowwood	N

<i>Cornus alternifolia</i>	alternate-leaf dogwood	Y
<i>Cornus drummondii</i>	roughleaf dogwood	N
<i>Cornus florida</i>	flowering dogwood	N
<i>Cornus foemina</i>	stiff dogwood	N
<i>Cornus racemosa</i>	gray dogwood	Y
<i>Cornus rugosa</i>	roundleaf dogwood	Y
<i>Cornus sericea</i>	red-osier dogwood	Y
<i>Crataegus crus-galli</i>	cockspur hawthorn	Y
<i>Crataegus mollis</i>	downy hawthorn	Y
<i>Crataegus pruinosa</i>	frosted hawthorn	N
<i>Crataegus punctata</i>	dotted hawthorn	Y
<i>Crataegus succulenta</i>	fleshy hawthorn	Y
<i>Crataegus viridis</i>	green hawthorn	N
<i>Diospyros virginiana</i>	common persimmon	N
<i>Fagus grandifolia</i>	American beech	N
<i>Forestiera acuminata</i>	swamp-privet	N
<i>Fraxinus americana</i>	white ash	Y
<i>Fraxinus nigra</i>	black ash	Y
<i>Fraxinus pennsylvanica</i>	green ash	Y
<i>Fraxinus profunda</i>	pumpkin ash	Y
<i>Fraxinus quadrangulata</i>	blue ash	Y
<i>Gleditsia aquatica</i>	waterlocust	N
<i>Gleditsia triacanthos</i>	honeylocust	Y
<i>Gymnocladus dioicus</i>	Kentucky coffeetree	N
<i>Halesia carolina</i>	Carolina silverbell	N
<i>Hamamelis virginiana</i>	witch-hazel	Y
<i>Ilex decidua</i>	possumhaw	N
<i>Ilex opaca</i>	American holly	N
<i>Ilex verticillata</i>	common winterberry	Y
<i>Juglans cinerea</i>	butternut	Y
<i>Juglans nigra</i>	black walnut	Y
<i>Juniperus virginiana</i>	eastern redcedar	Y
<i>Larix laricina</i>	tamarack	N
<i>Liquidambar styraciflua</i>	sweetgum	N
<i>Liriodendron tulipifera</i>	yellow-poplar	N
<i>Magnolia acuminata</i>	cucumbertree	N
<i>Malus angustifolia</i>	southern crabapple	N
<i>Malus coronaria</i>	sweet crabapple	N
<i>Malus ioensis</i>	prairie crabapple	Y
<i>Morus rubra</i>	red mulberry	Y
<i>Nyssa aquatica</i>	water tupelo	N
<i>Nyssa biflora</i>	swamp tupelo	N
<i>Nyssa sylvatica</i>	blackgum	N

<i>Ostrya virginiana</i>	eastern hophornbeam	Y
<i>Pinus banksiana</i>	jack pine	N
<i>Pinus echinata</i>	shortleaf pine	N
<i>Pinus resinosa</i>	red pine	N
<i>Pinus strobus</i>	eastern white pine	Y
<i>Planera aquatica</i>	water-elm	N
<i>Platanus occidentalis</i>	sycamore	Y
<i>Populus balsamifera</i>	balsam poplar	Q
<i>Populus deltoides</i>	eastern cottonwood	Y
<i>Populus grandidentata</i>	bigtooth aspen	Y
<i>Populus heterophylla</i>	swamp cottonwood	N
<i>Populus tremuloides</i>	quaking aspen	Y
<i>Prunus americana</i>	American plum	Y
<i>Prunus angustifolia</i>	Chickasaw plum	N
<i>Prunus hortulana</i>	hortulan plum	N
<i>Prunus mexicana</i>	Mexican plum	N
<i>Prunus nigra</i>	Canada plum	N
<i>Prunus pensylvanica</i>	pin cherry	Y
<i>Prunus serotina</i>	black cherry	Y
<i>Prunus virginiana</i>	chokecherry	Y
<i>Ptelea trifoliata</i>	common hoptree	Y
<i>Quercus alba</i>	white oak	Y
<i>Quercus bicolor</i>	swamp white oak	Y
<i>Quercus coccinea</i>	scarlet oak	N
<i>Quercus ellipsoidalis</i>	northern pin oak	Y
<i>Quercus falcata</i>	southern red oak	N
<i>Quercus imbricaria</i>	shingle oak	N
<i>Quercus lyrata</i>	overcup oak	N
<i>Quercus macrocarpa</i>	bur oak	Y
<i>Quercus marilandica</i>	blackjack oak	N
<i>Quercus michauxii</i>	swamp chestnut oak	N
<i>Quercus montana</i>	chestnut oak	N
<i>Quercus muehlenbergii</i>	chinkapin oak	Y
<i>Quercus pagoda</i>	cherrybark oak	N
<i>Quercus palustris</i>	pin oak	N
<i>Quercus phellos</i>	willow oak	N
<i>Quercus prinoides</i>	dwarf chinkapin oak	N
<i>Quercus rubra</i>	northern red oak	Y
<i>Quercus shumardii</i>	Shumard oak	N
<i>Quercus stellata</i>	post oak	N
<i>Quercus texana</i>	Nuttall oak	N
<i>Quercus velutina</i>	black oak	Y
<i>Rhamnus lanceolata</i>	lanceleaf buckthorn	Y

<i>Rhus copallinum</i>	winged sumac	N
<i>Rhus glabra</i>	smooth sumac	Y
<i>Rhus typhina</i>	staghorn sumac	Y
<i>Robinia pseudoacacia</i>	black locust	N
<i>Salix amygdaloides</i>	peachleaf willow	Y
<i>Salix bebbiana</i>	Bebb willow	Y
<i>Salix caroliniana</i>	coastal plain willow	N
<i>Salix discolor</i>	pussy willow	Y
<i>Salix eriocephala</i>	Missouri River willow	Y
<i>Salix interior</i>	sandbar willow	Y
<i>Salix lucida</i>	shining willow	Y
<i>Salix myricoides</i>	bayberry willow	N
<i>Salix nigra</i>	black willow	Y
<i>Salix sericea</i>	silky willow	N
<i>Salix serissima</i>	autumn willow	N
<i>Sassafras albidum</i>	sassafras	N
<i>Sideroxylon lanuginosum</i>	gum bumelia	N
<i>Sideroxylon lycioides</i>	buckthorn bumelia	N
<i>Sorbus americana</i>	American mountain-ash	N
<i>Staphylea trifolia</i>	American bladdernut	Y
<i>Taxodium distichum</i>	baldcypress	N
<i>Thuja occidentalis</i>	northern white-cedar	N
<i>Tilia americana</i>	American basswood	Y
<i>Ulmus alata</i>	winged elm	N
<i>Ulmus americana</i>	American elm	Y
<i>Ulmus rubra</i>	slippery elm	Y
<i>Ulmus thomasii</i>	rock elm	Y
<i>Vaccinium arboreum</i>	huckleberry	N
<i>Viburnum lentago</i>	nannyberry	Y
<i>Viburnum prunifolium</i>	blackhaw	Y
<i>Viburnum rufidulum</i>	rusty blackhaw	N
<i>Zanthoxylum americanum</i>	prickly-ash	Y

ATTACHMENT TWO: Restricted Species List

Scientific Name (Accepted Binomial)	Preferred Common Name & Spelling
<i>Acer ginnala</i>	amur maple
<i>Acer platanoides</i>	Norway maple
<i>Ailanthus altissima</i>	tree of heaven
<i>Albizia julibrissin</i>	mimosa
<i>Alnus glutinosa</i>	black alder
<i>Elaeagnus angustifolia</i>	Russian olive
<i>Elaeagnus umbellata</i>	autumn olive
<i>Euonymus alatus</i>	burning bush
<i>Frangula alnus</i>	glossy buckthorn
<i>Ligustrum sinense</i>	Chinese privet
<i>Lonicera maackii</i>	amur Honeysuckle
<i>Lonicera morrowii</i>	Morrow's Honeysuckle
<i>Lonicera tatarica</i>	tartarian Honeysuckle
<i>Paulownia tomentosa</i>	princess tree
<i>Phellodendron amurense</i>	amur cork tree
<i>Phyllostachys aurea</i>	golden bamboo
<i>Pyrus calleryana</i>	callery pear
<i>Rhamnus cathartica</i>	common buckthorn
<i>Rhamnus davurica</i>	Dahurian buckthorn
<i>Robinia pseudoacacia</i>	black locust
<i>Viburnum lantana</i>	wayfaring tree