

Tree Removal Policy

1. Policy Accountable Owner: Genesee Environmental Management GEM and Genesee Fire & Safety Committee

2. Policy Name: Tree Removal Policy

3. Purpose for policy: To clarify the required processes and approvals for removing trees in Genesee.

4. Policy details:

a. Background:

- i. Perhaps our most-appreciated amenity in Genesee is our Open Space and the views, wildlife habitat, and recreational opportunities that it provides. Trees are a major visual and environmental element of that open space.
- ii. The Declaration of Covenants, Conditions and Restrictions of the Genesee Foundation encourage tree conservation and protection on private property. Tree planting and removal on Genesee private property requires approvals as set forth by the established policies and procedures approved by the Genesee Foundation Board of Directors.
- iii. Because tree/forest management issues can involve both private property and open space, there are situations where Foundation staff become involved in private property tree removals at the request of the ARC or the property owner. Those situations are referenced in this policy when necessary to clarify how a procedure works, from the property owner's perspective.

b. Policy:

- i. It is the goal of the Genesee Foundation to preserve, protect and enhance the natural environment in our community. The Genesee Foundation will permit the removal of trees on open space when:
 1. Removals promote tree/forest health, resident safety, prudent management of fire risk, and the aesthetic integrity of Genesee; and
 2. Removals have been properly approved using one of the procedures in this policy.

c. Open Space - Procedure to remove trees as part of the annual Open Space Management Plan:

- i. Annually, the Genesee Foundation Open Space Manager drafts a plan that details specific parcels of open space for management that include tree thinning to meet a variety of forest health, fire fuel safety, and environmental goals within available budget. As part of this process, the Open Space Manager consults with the Genesee Ecosystem Management Committee, the Fire and Safety Committee, and the Community Manager.
- ii. The Open Space Manager posts the draft plan on the Genesee website, announces its availability in the Genescene, and notifies residents near projects for the upcoming year by mail, email or phone call. The Open Space Manager incorporates comments received, and the Board of Directors approves the plan including each of the parcels/management projects within the plan.
- iii. Once a parcel is approved for management action and trees to be removed are marked, the Open Space Manager invites residents to a walk-through to discuss the project; specific trees to be removed or kept may be changed

during this walk-through at the discretion of the Open Space Manager, as long as the overall objectives of the project can be met. The Open Space Manager oversees the tree removal contractor to assure the work is completed properly.

d. Open Space - Procedure to remove hazard trees on open space:

- i. A hazard tree is a tree in danger of falling on a neighboring structure, private property, county road, Genesee private drive, or a designated Genesee trail. Not all dead or dying trees are hazard trees.
- ii. When the Foundation staff becomes aware of a hazard tree on open space, the Foundation staff will take action to remove the hazard tree. No permit or other approval is required.

e. Open Space - Procedure to remove infested or infected trees on open space:

- i. There are some insects and parasites that attack individual trees in a way that poses a threat to surrounding trees. Ponderosa Pine Beetle and mistletoe are two examples of such threats.
- ii. The Foundation will remove infested/infected trees that threaten surrounding trees when they are discovered, and properly dispose of the wood containing the insect or parasite. No permit or other approval is required. The Genesee Foundation may also contact nearby residents to alert them to watch for problems on their own trees, when appropriate.

f. Open Space - Procedure to remove or thin dense sapling stands on open space:

- i. Dense stands of young trees with a diameter of 10 inches or less grow on hillsides or in drainages where pinecones tend to gather based on wind or water movement. The trees in these dense stands crowd each other so that none of the saplings get enough water/sun/nutrients to grow into healthy, mature trees. The Open Space Manager may designate trees to be removed from these stands, or whole stand removal, in accordance with guidelines set by the Colorado State Forest Service. No other approval is required for Foundation staff to remove these saplings.

g. Open Space - Procedure to remove any other trees on open space:

- i. In order to remove trees from Open Space for any other reason than the above, the Foundation must follow the ARC procedure and obtain ARC approval, as well as approval by the Foundation Board of Directors.

h. Private Property - Policy and procedure to remove trees as part of a project to create certified defensible space on private property:

- i. The Genesee Foundation encourages and supports residents removing hazardous fire fuels to create defensible space around their homes. A private property certified defensible space plan requires use of a qualified defensible space professional identified by Jefferson County Planning and Zoning, and a commitment by the property owner to execute, in its entirety, the tree removal outlined in the plan. In some cases, the certified defensible space plan may include removal of trees on Open Space adjacent to the private property lot in which case additional procedures are required (see 4.h.vi).
- ii. The qualified defensible space professional must evaluate and mark the trees to be removed on both private property and open space. At least 2 working days prior to having a qualified defensible space professional on site to

- prepare the defensible space plan, the Owner must notify the ARC by email to arc@genesefoundation.org. An ARC member will visit the property either before or at the same time as the qualified defensible space professional for the purpose of marking trees which the ARC would like to save. The qualified defensible space professional will take the ARC markings into account, but shall have the right, in consultation with the homeowner, to overrule the ARC for fire safety purposes.
- iii. The defensible space expert will mark trees to be removed with flagging tape and will create a site plan that includes a graphic/diagram showing property lines for the subject property as well as adjacent lots and open space, the perimeter of the residence on the property, and the location of trees to be kept and removed.
 - iv. Submit this plan along with the ARC tree removal form to the Foundation office.
 - v. The Foundation will post your property for a period of five days to allow input from neighbors.
 - vi. Assuming these steps have been followed, the ARC will approve the defensible space plan at its next meeting following the 5-day posting period.
- i. Private Property and Open Space - For certified defensible space plans that include the removal of trees on Open Space:
 - 1. In addition to the paperwork required for the tree removal on private property (4.h.i.-v.), the property owner must also submit a completed Open Space Tree Removal form to the Foundation Office with a copy of the same supporting documents required with the private property form. In addition, the private property owner must submit evidence of the tree removal contractor's liability insurance and worker's compensation insurance.
 - 2. Upon receipt of the completed tree removal forms and supplemental documentation, the Foundation Office will post a sign on the property for 10 days, during which time neighbors may make comments for ARC considerations. The Open Space Manager will notify neighboring Genesee property owners that would be impacted by the work on Open Space, inspect the property and open space where tree removal is proposed, may consult with the property owner if necessary, and may provide written comments on the form.
 - 3. Assuming these steps have been followed, the ARC will approve the defensible space plan at its next meeting following the 10-day posting period. The Board of Directors will review and take action on the request at its next meeting following ARC approval. The Foundation Office will notify the property owner of decisions promptly, within 30 days of the decisions.
 - 4. The ARC and the Board of Directors must both approve an application to remove Open Space trees that are part of a private property defensible space plan.
 - 5. The property owner should include these specifications in the contract for tree removal on open space:

- a. Stumps from cut trees will not be higher than 4 inches.
 - b. All slash on open space will be removed through the private property where defensible space is being created.
 - c. Motorized vehicles including chippers are not permitted on open space.
 - d. Contractors must carry fire extinguishers at all times and take care not to damage other trees, vegetation, or the soil.
 - 6. In addition, ARC Standards concerning construction apply.
 - 7. The property owner must notify the Foundation Office at least one day before tree cutting on Open Space so that the Foundation can have a staff member present to oversee tree cutting on Open Space and debris removal must be completed within 3 months of the approval date. Trees on open space may not be removed unless all the trees in the approved project are removed.
 - 8. The property owner must notify the Foundation Office when the work is completed on Open Space. The ARC will check the work at the next meeting after notification of completion.
 - 9. The private property owner is responsible for all costs including tree assessment, marking, cutting, tree removal, slash removal, and any follow-up inspections or reviews.
 - 10. Any damage caused to Open Space or private property as part of the project is the responsibility of the private property owner.
- j. Private Property - Procedure to remove trees on private property (not part of a certified defensible space plan):
- i. Hazard Tree(s) - If the Open Space Manager deems a tree or trees a hazard s/he may approve removal without ARC approval. The following defines hazard trees and limitations for removal based solely on approval by the Open Space Manager:
 - 1. A tree that presents an immediate danger of falling on buildings, roads, private drives or trails on Open Space
 - 2. Fire hazard of five (5) or fewer trees defined as follows:
 - a. Ladder fuel for a larger tree located within a 30-foot radius of the home.
 - b. Junipers within 10 feet of the home.
 - c. A tree growing through an existing deck.
 - d. Ponderosa pine saplings (diameter of less than 5 inches 4.5 feet from the ground) in stands of 10 or more
 - ii. Infected Trees - The Open Space Manager may approve immediate removal of five or fewer infested/infected trees without ARC approval if said tree(s) provide an immediate threat to other surrounding trees.
 - iii. Private property owners may remove trees of 2-inches or less in diameter (measured 4.5 feet above the ground) without any submission to the ARC.
 - iv. Private property owners may remove dead aspen trees without any submission to the ARC.
 - v. Removal of any other dead tree(s) requires the approval of the Open Space Manager.

- vi. Any other tree removal on private property must be submitted to and approved by the ARC prior to cutting. The Open Space Manager will review all applications for tree removal.

APPROVED BY: **Board of Directors**

SUPERCEDES: **Versions 2011, 2017, 2018**

REVIEW DATE: **October 24, 2018**

EFFECTIVE DATE: **2006**

NEXT REVIEW DATE: **5 years (2023)**