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Evergreen Communities Act (RCW 35.105)

An Update by the Evergreen Communities Partnership Task Force

November 2009
Report to the Legislature
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INTRODUCTION

Healthy urban forests are a valuable and potentially powerful tool to support economically viable, sustainable urban areas in the State of Washington. The Evergreen Communities Act (ECA, RCW 35.105) seeks to assist municipalities and jurisdictions across the state to better manage existing urban forests and plan for improvements to urban forests to increase the value of the ecological, social, and economic services that urban trees provide. The Act provides a platform for cooperation and collaboration among agencies and organizations that work with communities that desire to build or improve urban forestry programming. Agency partners at the state level include the Department of Commerce (Commerce), the Department of Natural Resources (DNR) and the Department of Ecology (Ecology). A wide variety of non-profit organizations and utility firms are also involved.

Commerce administers part of the 2008 Evergreen Communities Act (ESSHB 2844), and offers technical guidance for communities through the development of model tree ordinances and model urban forestry management plans. Such management programming may include community and urban forestry assessments and inventories, urban forestry ordinances, management plans, maintenance programs, partnerships, and community involvement. In addition, Commerce staff and the Evergreen Communities Partnership Task Force are responsible for creating an awards program to recognize those communities who work toward developing excellent management programming that enhances the capacity of their urban and community forests to provide ecological, social, and economic services.

Commerce has specific responsibilities in the Act, subject to available funding:

1. Form the Evergreen Communities Partnership Task Force (RCW 35.105.110);
2. Develop model tree ordinances suitable for use as a guide for jurisdictions of all configurations throughout the State (RCW 35.105.080);
3. Develop model urban forestry management plans suitable for use as a guide for jurisdictions of all configurations throughout the State (RCW 35.105.070);
4. Develop and implement an Evergreen Communities grant and competitive awards program to provide financial assistance to towns, tribes, cities and counties to develop, adopt and implement Evergreen Communities management plans or tree ordinances (RCW 35.105.040); and
5. Create an Evergreen Communities recognition program built upon the Tree City USA award program to recognize communities for their work in developing excellent urban forest management programs (RCW 35.105.030).

In accordance with RCW 35.105.060, this report describes progress made by Commerce and the Task Force toward fulfilling these responsibilities prior to funding suspension in the 2009-11 State Operating Budget.

THE EVERGREEN COMMUNITIES PARTNERSHIP TASK FORCE

Twenty Evergreen Communities Partnership Task Force members (the Task Force) were appointed in October 2008 by the Director of the Washington State Department of Community, Trade and Economic Development (now the Department of Commerce). Several members chose alternates as well, to attend meetings when they were unable to do so. Members of the Task Force were selected with the guidance of RCW 35.105.110 for a broad representation of agencies and organizations impacted by community and urban forestry planning and regulation.

During the year of funding for the Evergreen Communities program, Commerce has worked with its partner agency, the DNR, and with the Task Force toward completion of model tree ordinances and urban forestry management plans. Recognizing that the program may not be funded in the following biennium, the Task Force expedited a compressed work program so that tangible resources for local governments could be produced by June 30, 2009. Although fully-developed model ordinances and management plans were not possible due to the shortened timeline, the Task Force worked diligently to complete a document that would function as basic guidance to local jurisdictions desiring to better manage and plan for improvements to their urban and community forests during the suspension of ECA funding. The document includes discussion, resources and references under these topics:

- Ecosystem services, benefits and functions provided by community and urban forests
- Principles for policy development
- Community and urban forestry inventory and canopy assessment
- Elements of community and urban forestry management plans
- Elements of a community and urban forestry ordinance
- Evergreen communities recognition

The annotated document, *A Guide to Community and Urban Forestry Programming*, was completed through the tremendous efforts of the members of the Task Force. The guide is available online at <http://www.commerce.wa.gov/site/1131/default.aspx>.

The recommendations and resources in this document provide an excellent foundation for local jurisdictions to establish or expand urban forestry programming. Through these resources, communities can increase the value of the ecological, social, and economic services that community and urban forests provide. In addition, the document includes the Task Force's recommended framework for an Evergreen Communities recognition program.

DNR URBAN AND COMMUNITY FORESTRY PROGRAM

The DNR Urban and Community Forestry Program (UCF), with the assistance of a Technical Advisory Committee (the TAC), was charged through the ECA with the development of inventory and assessment protocols along with a project implementation plan. The TAC and UCF have worked closely with Commerce to assure that inventory criteria are designed to meet the goals and objectives of urban forestry management plans and urban forestry ordinances.

This activity has also been suspended due to lack of funding in the 2009-11 biennial budget. The Task Force and the TAC recognize, however, that evaluation of the resource through inventories and assessments are an important first step toward sustainable community and urban forestry management and programming.

For more information about the work and recommendations of the TAC, as well as the pilot project details, please refer to the TAC report available on the DNR Web site at http://www.dnr.wa.gov/researchscience/topics/urbanforestry/pages/rp_urban_eca_tac.aspx.

ECA INCENTIVES

To encourage communities to adopt tree ordinances and urban forestry management plans, the ECA added recognition as Evergreen Communities as a criteria in project selection in several infrastructure and environmental grants and loans statutes. . RCW 43.155.070 – Grants and project funding through the Public Works Board

- RCW 70.146.070 – Water pollution control grants or loans
- RCW 89.08.520 – Water quality improvement and habitat protection grants
- RCW 79.105.150 – Aquatic lands enhancement project funding through the recreation and conservation funding board
- RCW 79A.15.040 – Habitat conservation grants or project funding through the recreation and conservation funding board

These incentives will become operational one year *after* distribution of the model management plans and ordinances developed by Commerce. Because funding for completion and distribution of the model plans and ordinances has been suspended, applying the Evergreen Communities criteria in project selection for these grants and loans is also on hold.

CHALLENGES TO ECA IMPLEMENTATION

The timeline for work on model urban forestry management plans and tree ordinances was reduced from more than two years (a deadline of December 2010 in the ECA) to one year when funding was suspended on June 30, 2009. During the funding hiatus, the ECA will provide a platform for continued cooperation and collaboration among agencies, organizations and communities that work to build or improve urban forestry programming. The Task Force document, *A Guide to Community and Urban Forestry Programming*, will provide a valuable reference the DNR and the Washington Community Forestry Council (RCW 76.15) to support urban and community forestry programs around the state until Commerce, the DNR and the Task Force are funded and reconvened to finish the ECA work.

NEXT STEPS AND RECOMMENDATIONS

Due to the limited time available before ECA funding was suspended the Task Force, Commerce staff and the DNR were unable to present *A Guide to Community and Urban Forestry Programming* to the public for review and feedback, but will do so once funding is restored and the development process can be resumed and completed.

If funding is again provided for Commerce, the DNR, and the Task Force to return to their tasks as assigned in the ECA, the Task Force document, *A Guide to Community and Urban Forestry Programming*, will provide the foundation to fully complete the development of the tools described in the Act without delay or “backtracking” on work that has already been completed. Deadlines in RCW 35.105.050(5) will need to be adjusted to provide adequate time for completion of the assigned work.

We gratefully acknowledge the dedication and hard work of the members of the Evergreen Communities Partnership Task Force in 2008-2009 as they developed guidance for community and urban forestry policies, ordinances and management plans, as well as drafting a proposal for an evergreen communities recognition plan.

The Evergreen Communities Partnership Task Force

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