
Washington, D.C. Urban Forest Preservation Act (DC Tree Bill) FAQs

Is there a law in DC that protects trees?

- Yes. The Urban Forest Preservation Act (often called the DC Tree Bill) protects all trees with a circumference of 55 inches (17.5 inches in diameter) or more by designating them as Special Trees. This designation applies to trees on public and private property.

Who oversees the Urban Forest Preservation Act (DC Tree Bill)?

- The DC Urban Forestry Administration (UFA) is responsible for administering and enforcing the Urban Forest Preservation law. UFA is an agency of the District Department of Transportation.

What does the law do to protect Special Trees?

- It makes it illegal for any person to cut down, remove, girdle, break, top, or destroy any Special Tree without a permit.

What if someone does one of the things listed above to a Special Tree without a permit?

- They are subject to a fine of not less than \$100 per inch of circumference (a minimum fine of \$5,500).

Under what circumstances can someone get a permit to remove a Special Tree?

- A person may obtain a permit to remove a Special Tree if they can do at least one of the following:
 - Prove that the tree is a Hazardous Tree (poses a high risk of failure and consequent property damage or injury);
 - Show that the tree is of a species that has been identified, by regulation, as appropriate for removal (*Ailanthus altissima* [Tree of heaven]; *Morus* species [Mulberry]; or *Acer platanoides* [Norway maple]);
 - Pay into the Tree Fund an amount equal to \$35.00 for each inch of circumference; or,
 - Agree to plant a quantity of saplings whose aggregated circumference equals or exceeds the circumference of the Special Tree in question.
 - NOTE: Fee-in-lieu payment may be used in combination with plantings to comprise the required mitigation.

How can I obtain a permit to remove a Special Tree?

- Visit the DC Urban Forestry Administration (UFA) website: <http://ufa.ddot.dc.gov> and follow the Special Tree Permit link to download a permit application.

Who can determine if a Special Tree is a Hazardous Tree or is a tree identified by regulation as appropriate for removal?

- An ISA Certified Arborist or a UFA arborist. To request that a UFA Arborist inspect the tree, check the appropriate box on the Special Tree Permit application.

Is replanting and/or payment into the Tree Fund required for all Special Tree removals?

- No. If an ISA Certified Arborist or UFA arborist certifies that the tree in question is a Hazardous Tree or is a Tree of Heaven, mulberry, or Norway maple, a Special Tree Removal Permit shall be issued. Replanting or payment is required for all other Special Tree removals.

If I choose to replant associated with a Special Tree removal, what are the requirements?

- The permittee must replant a number of trees whose aggregated circumference equals or exceeds that of the Special Tree that was removed. *Example: A Special Tree with a circumference of 75" was removed. Replanting is done with the minimum allowable stock size (2" caliper = 6.3" circumference). Twelve trees will need to be planted in order to get approval to remove the Special Tree (75" / 6.3" per tree = 12 trees).*

What if my lot does not have room for any of the trees I need to replant?

- Replanting requirements can be met off-site (on other properties).

What if my lot has room for some but not all of the trees I need to replant and I do not have an off-site planting location?

- The mitigation requirement can be met through a combination of fee-in-lieu payment and planting. *Example: A Special Tree with a circumference of 75" was removed. Replanting is done with the minimum allowable stock size (2" caliper = 6.3" circumference). Twelve trees will need to be planted in order to get approval to remove the Special Tree; however, the lot can only accommodate eight of them and the permittee does not have an off-site planting location. The remaining mitigation requirement can be satisfied by payment of \$861.00 to the Tree Fund (6.3" per tree x 8 trees = 50.4"; 75" - 50.4" = 24.6" x \$35 per inch = \$861.00).*

Are there any circumstances under which someone does not need a permit to remove a Special Tree?

- If a Special Tree poses an imminent hazard to persons or property, a person may remove it immediately without a permit. However, within 15 days of the removal, they must retroactively submit a permit application to remove the tree; the application must contain a certification by an ISA Certified Arborist that the Special Tree posed a risk that could only be mitigated by removal.
- Public utilities do not need permits to remove Special Trees when working within the District's rights-of-way, but do in other circumstances.

Is any public notice required before a Special Tree is removed?

- Only under the following conditions:
 - If the tree is on public property and is not a Hazardous Tree, The Director shall provide a minimum of 15 days' written notice to the affected Advisory Neighborhood Commission prior to removing the tree, and shall provide the reason why the tree is being removed;
 - If the tree is on public property and is to be removed by a public utility, the utility must provide a minimum of 20 days' notice to the Director prior to removing the tree unless the work is performed under emergency conditions or is part of a permitted construction activity.

If someone mitigates removal of Special Tree by paying \$35 per inch of circumference, what happens to the money?

- Monies collected as payment for removal of Special Trees, as well as any donations, fees, or penalties collected related to the DC Tree Bill, are deposited into the Tree Fund.

What is done with the money in the Tree Fund?

- The Tree Fund was set up with the money to be used for:
 - Planting trees;
 - Covering costs associated with administering the Tree Bill; and,
 - Assisting District residents meeting certain income guidelines with the removal costs of Hazardous Trees.

If I want to make a donation to the Tree Fund, can I deduct it for tax purposes?

- Yes. Donations to the Tree Fund are tax deductible for purposes of District income and franchise taxes.