

This Section would be amended as follows:

5.30.2 Natural Features Mitigation

A. Alternative Natural Features Mitigation

In some cases, the number of trees required as mitigation for the taking of trees or Woodlands on a Site cannot reasonably be placed on the Site, as part of the Development.

1. A project which proposes the removal of Landmark or Heritage Trees from outside a Native Forest Fragment or Qualified Urban Woodland on a Site may satisfy up to 50% of the value of the required mitigation of tree planting on the Site through payment in lieu of trees to the City Tree Fund.
2. A project which proposes an intrusion and removal of tree from a Native Forest Fragment or a Qualified Urban Woodland may satisfy up to 35% of the value the required mitigation of tree planting on the Site through payment in lieu of trees to the City Tree Fund.
3. A project which would remove a Native Forest Fragment or Qualified Urban Woodland from a Site could satisfy only 25% of the value of the mitigation through payment in lieu of trees planted on the Site to the City.
4. If the Site contains a Native Forest Fragment, up to 50% of the value of the required alternative mitigation may be used to support Restoration work on the Native Forest Fragment, if it is fully protected, in accordance with an approved Woodland management plan.
5. If the Site contains a Qualified Urban Woodland, up to 35% of the required mitigation may be used to support Restoration work on the Qualified Urban Woodland, in accordance with an approved Woodland management plan.

B. Payments and Disposition of Funds

1. Mitigation payment values will be determined using the current City Council approved Canopy Loss Fee Statement, which can be obtained from the City Forester.
2. The City will segregate these funds (in the Tree Loss Fund), and use them for the following purposes, in order of importance:
 - a. To increase Restoration and stewardship of the City's Natural Areas.
 - b. To support a deer management program each year.
 - c. To provide attention to potential Natural Areas of the City's Park lands not yet under Restoration efforts, in order of their relative importance.
 - d. To provide additional funds to install and maintain public trees on public streets and Parks across the City.
 - e. Dollars which accrue to the Tree Loss Fund from sources other than those required under this Chapter 23 will be spent upon installing and maintaining trees on public lands and Rights of Way, unless the City Administrator decides otherwise, upon recommendation by the City Forester.

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