LWMP 2025-2029 Work Plan Draft

Review Comments by Whatcom Million Trees Project
August 24, 2024

Overall Concerns

Implement SMART Goals Throughout the Report

SMART goals are a well-established, effective approach to set and reach goals. SMART stands for *specific, measurable, achievable, relevant,* and *time bound*. We advocated this approach to improve Bellingham's Urban Forest Plan draft report and likewise strongly recommend it here. Across all program areas, LWMP Work Plan objectives and reporting metrics should follow this approach. Currently, many of the statements are too 'fuzzy' to provide direction for future policy decisions and staff actions or to measure progress over the five years that this plan will be implemented.

Reinforce an Adaptive Approach

There's no indication of how previous studies, surveys, and assessments from past reports inform this five-year work plan. This should be referenced in each applicable section, with a description of how they inform the work plan's next steps. Similarly, this adaptive emphasis should occur in annual reporting so that adjustments to implementation actions can incrementally occur as needed.

Specific Program Area Feedback

Program Area 1: Land Preservation

Issue: Be Aspiring & Specific About Land Acquisitions.
We suggest revising the wording of section **1.11 Property Protection** in the following way:

Current wording:
Purchase watershed properties based on evaluation criteria and availability. Evaluate the use of other programs to augment the watershed acquisition program to purchase watershed properties.

Suggested revision:
Actively seek watershed properties with the goal of acquiring 1,000 additional acres by 2030.

Discussion:
The city has purchased between 113 and 161 watershed acres per year from 2020 to 2023, for a total of 555 acres in those 4 years. As of 2023, 3,336 developable (vacant) acres remain in the watershed (not including several thousand acres of private forestry land). A goal of 1,000 additional acres over the next 5 years is reasonable and would give the city an ambitious and yet attainable metric to work towards.

Program Area 2: Stormwater Management

Issue: English ivy's impact on natural stormwater filtering in the watershed.

We suggest adding the following new statement to section **2.2 Residential Stormwater Solutions** that provides an actionable component to address invasive English ivy which is completely overlooked in this draft report but has major impacts on the tree canopy and understory around Lake Whatcom, directly impacting stormwater buffering and filtering.

Starting in year 2025 provide ongoing education and support for residents to remove English ivy on and around their trees.

Reporting metrics:

- Outreach/educational efforts implemented
- Number of homeowners participating in ivy removal program
- Number of trees in private parcels that are cleared of ivy
- Estimate # of trees still impacted by ivy
- Cubic yards of ivy cuttings removed

Discussion:

WMTP has been tracking the prevalence of English ivy on trees in Bellingham and the County. English ivy eventually kills virtually every tree it climbs onto. (Click here to learn more about this threat and WMTP's multiple responses to mitigate it.)

On private parcels in the watershed, English ivy is killing hundreds of trees collectively in the yards of homes on all sides of the lake, close to the shoreline as well as further back from the Lake's edge. This reduces valuable tree canopy and the understory's biodiversity. Both impact the natural water filtering capability of the watershed.

Ways that watershed residents can be educated and supported include ivy-focused educational flyers/mailers, a dedicated webpage, occasional webinars/trainings, and ivy cuttings disposal assistance.

Program Area 3: Land Use

Issue: Illegal Tree Removals Impact on Canopy Filtering.

We suggest adding the following new statement to section **3.1 Development:**

By end of year 2025, assess and present possible regulatory changes that can reduce illegal tree removals within the Lake Whatcom watershed.

Discussion:

'Shadow' unauthorized tree removals occur within Lake Whatcom Watershed, adding up to significant canopy loss over time that potentially impacts the Lake's water quality and contaminant natural filtering capability. Such tree removals are occurring even with the improved tree retention provisions in the updated Lake District Overlay Ordinances that WMTP and ReSources helped Whatcom County to develop and pass during 2023. The problem is largely because enforcement is difficult, understaffed, and often too late since some tree service providers act deliberately "under the radar" of required permit processing. Landowner awareness about tree removal rules in the watershed is also minimal.

To reduce this problem, we believe the LWMP Work Plan should include an evaluation of options that other public agencies have used, which include:

a) Requiring tree service providers (arborists, landscapers, tree removal companies, etc.) wishing to practice within the watershed to register at low-cost.

b) Increasing the fines of providers who illegally remove trees. (Such fines can help to pay for watershed canopy education/permitting/enforcement.)

c) For repeated violations, revoking the provider's license to work on trees in the watershed. This potential step is essential to the success all of the above.

The problem isn't all on the providers, though. Unauthorized tree cutting can stem from a *landowner's* lack of regulatory awareness. For the landowner education/awareness steps to consider, see our comments below for Program Area 9.

Issue: Display Tree Removal Permits Visibly On-Site.

We suggest adding the following new statement to section

By end of year 2025, establish new requirements for longer, more visible postings of tree removal permits within the watershed.

Discussion:

Reliance on citizen complaints of illegal tree removal in the watershed rarely is effective. People only notice trees being cut down when they hear the chain saw or realize the tree is missing after the fact. That's too late!

Even when valid permits exist for the tree removal, currently they are usually not displayed in publicly visible locations (i.e. streetside). This makes prevention, tracking and enforcement of illegal removals ineffective. Many jurisdictions in our region require publicly displayed permits for a period of time (usually 14-days) before major trees can be removed (except for exempt situations such as hazard trees or emergency situations). Similarly, several jurisdictions list all active tree permits on a dedicated webpage, highlighting a single phone number that any citizen can call to report possible violations. We strongly suggest the LWMP Work Plan process consider these possibilities.

Program Area 9: Education

Issue: Low landowner awareness of watershed tree retention regulations.

We suggest adding the following three new statements to section **9.3 Community-wide Education and Engagement with Lake Whatcom Benefit:**

Real estate buyer disclosure: By end of 2025, require real estate agents to give to the buyer (before or during the close of a real estate transaction) an easy-to-understand, one-page disclosure that explains certain trees may be protected from removal within the parcel.

Tree service provider handout: Requiring each tree service provider to give any client within the watershed Develop a one-page flyer/handout that states the watershed's basic tree removal rules and fines.

Education about tree canopy benefits: Develop an educational outreach program (outdoor signage, webinar, etc.) to watershed residents that highlights the value of trees in the watershed for drinking water quality.

Discussion:

As mentioned in our discussion for Program Area 3 above, unauthorized tree removals within Lake Whatcom Watershed create significant canopy loss over time that potentially impacts the Lake's water quality and contaminant filtering capability.

Improved regulations can mitigate the actions of a minority of tree service providers. The problem isn't all caused by a few providers, however. Unauthorized tree cutting can stem from a *landowner's* lack of regulatory awareness.

Besides general awareness, there are two key events for landowners where greater awareness and transparency would especially help: (a) when a tree service provider may be hired, and (b) during the close of real estate transactions. That is why we suggest the above additions.

Issue: Encourage science-based, watershed-aware actions for home wildfire resiliency.

We recommend the following objective be included in section **12.4 Wildfire Preparedness and Risk Assessments:**

By end of 2025, work with Whatcom Conservation District and others to encourage and publicize a modified Firewise approach for homes in Lake Whatcom watershed that reflects the latest wildfire resiliency science and balances the need to also preserve mature tree canopy and other non-lawn landscape to filter/buffer stormwater runoff.

Discussion:

WMTP has been very active at a State level over the past two years regarding home wildfire resiliency. We have been working to improve policymaker's understanding of the latest wildfire resiliency science of top researchers in the nation (Chad Hansen, Dominick DellaSalla, etc.). And at a local level, we've brought the film *Elemental: Reimagine Wildfire* to multiple venues to supplement Whatcom Conservation District's fine work in our community to improve wildfire resiliency.

The bottom line is the latest wildfire resiliency science presents a much more nuanced model of what should be done in and around structures in the coastal Pacific Northwest than the "standard" national Firewise model of removing virtually *all* tree canopy within 30 feet of a structure, and extensive canopy up to 100 feet away. The latest research shows that in Pacific Northwest coastal conifer-dominant forest areas the standard Firewise approach is a counterproductive strategy. It should instead focus on simple, inexpensive home hardening steps (most important), ladder fuel elimination under nearby trees, and reducing all flammables in the landscape within 5-10 feet of a home. The standard Firewise model is at odds with retaining mature tree canopy to filter and buffer runoff into Lake Whatcom. It also conflicts with numerous State climate and environmental goals.

WMTP's work on this issue led to the passage during 2024 of SB 6120 which corrected 2018 wildfire resiliency legislation that led to the WA State Building Code Council creating ill-conceived landscape buffer rules. Our work also has led to a re-do of inaccurate wildfire risk mapping that was created by DNR (should have been fuel-based, not proximity-based).

As a result of SB 6120, local jurisdictions can decide the extent of wildfire resiliency requirements for new homes. With that in mind, the LWWP should develop with applicable local agencies, non-profits, and fire marshals a more balanced "modified" Firewise landscape buffer approach that is then publicized to all Lake Whatcom watershed residents.

Program Area 12: Forest Management

Issue: Address English ivy's degradation of tree canopy in watershed forest lands.

We suggest adding the following new statement to section **12.1 Forest Management Plans** that provides an actionable component to address invasive English ivy which is completely overlooked in this draft report but has major impacts on forest edges around Lake Whatcom, directly impacting stormwater buffering and filtering.

To preserve stormwater-filtering tree canopy, during year 2025 develop and then implement an English ivy removal plan for all public forests around Lake Whatcom.

Reporting metrics:

- Number of trees in public parcels that are cleared of ivy
- Estimate # of trees still impacted by ivy
- Cubic yards of ivy cuttings removed

Discussion:

WMTP has been tracking the prevalence of English ivy on trees in Bellingham and the County. English ivy eventually kills virtually every tree it climbs onto. (Click here to learn more about this threat and WMTP's multiple responses to reduce it.) Hundreds of mature trees in managed (and unmanaged) forests/groves along Lake Whatcom are slowly degrading/dying from it, leading to less forest density and less

biodiversity of understory. Both impact the water and contaminant natural filtering capability of the watershed.

In public lands around Lake Whatcom, English ivy tends to grow along trail and road edges, such as in and around Lake Whatcom Park (especially on the Hertz trail) and in many areas of Sudden Valley, and in and around residences in the Sehome and Silver Beach neighborhoods.

Issue: Build in opportunities for *substantive* comments/feedback by key stakeholders.

We suggest adding the following new statement to section **12.2 Forest Practice Review**:

By end of 2025, build in opportunities for key local stakeholders to present substantive comments/feedback when DNR forestry activities in the watershed are reviewed.

Discussion:

Feedback by key watershed stakeholders (i.e. local nonprofits like Re Sources, Whatcom Million Trees Project, Sierra Club; tribes; and others) should not be limited to individual public forum feedback time limits. Often stakeholders have detailed and substantive comments to offer. This should be encouraged and formalized in some way in all local review processes that impact the watershed.