

TREES IN THE SHORELINE JURISDICTION



CITY OF BLACK DIAMOND
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Shoreline Jurisdiction

The Shoreline jurisdiction is all of the geographic areas covered by the Washington State Shoreline Management Act (SMA) and City of Black Diamond Shoreline Master Program (SMP). In the City of Black Diamond, this includes Lake Sawyer and those areas within 200 feet of the Ordinary High Water Mark (OHWM) of Lake Sawyer, as well as some associated wetlands.

There are five shoreline environment designations on Lake Sawyer, which all have their own requirements within the SMP: Shoreline Residential, Shoreline Residential Limited, Urban Conservancy, Natural, and Aquatic.

The shoreline setback is the mandatory setback from the OHWM in which limited development can occur. In Black Diamond this ranges from 50-100 feet depending on the environmental designation. Most properties within the shoreline jurisdiction on Lake Sawyer are in the Shoreline Residential Environment, which requires a 50-foot setback.

Tree Policies and Regulations

The City regulates tree removal and land clearing within the shoreline jurisdiction to protect ecological functions on the lake. The following regulations are specific to tree maintenance and/or removal within 200 feet of the OHWM.

Tree Retention

- Diseased and fallen trees are encouraged to be left in place within the shoreline environment and/or shoreline setback provided the trees are not a danger to public safety or private property in order to increase habitat and address other ecological functions within the shoreline environment.
- Native understory vegetation and trees within the Natural Environment and within shoreline setback areas in all environments **shall be retained**, unless necessary to provide water access, to provide limited view corridors, or to mitigate a hazard to life or property.
 - Where limited removals are allowed, pursuant to the conditions provided in the SMP, vegetation shall be replaced to assure no net loss is achieved.

Removing a Tree

- Removal of non-hazardous mature trees and native vegetation in the required shoreline setback is **severely** restricted and strongly discouraged.
- Hazardous trees may be removed only when it is verified by a member of the American Society of Consulting Arborists or similar professional organization in accordance with the International Society of Arboriculture method found in "2011 Tree Risk Assessment (part 9)," in its most recent or adopted form.
 - If a hazardous tree is removed, it shall be evaluated and mitigated to result in no net loss of shoreline ecological functions.
- The City requires a report prepared by a qualified professional (arborist and/or ecologist) as part of any substantial development permit or exemption that includes removal of significant trees and/or clearing



of native vegetation within the shoreline jurisdiction and/or shoreline setback. The report shall identify appropriate mitigation, performance assurances, and maintenance/monitoring requirements necessary to assure *no net loss of ecological function* necessary to sustain the shoreline environment.

- Within all other shoreline areas, tree removal shall be limited to the minimum necessary to accommodate proposed structures and uses, or to mitigate a hazard to life or property. Significant trees shall be replaced at an appropriate ratio to assure no net loss is achieved as required by code and recommended by a qualified professional.
- The removal of trees and shrubs outside of the shoreline setback may not require a shoreline permit or letter of exemption; however, a tree permit is required. Vegetation conservation standards still apply, as stated in Chapter 4 Section B.7 of the SMP.

Allowed Activities Without a Permit

- Any normal and routine maintenance of existing trees are not subject to clearing and grading regulations provided that said maintenance does not involve removal of trees and is not detrimental to the health of any trees.

For questions about tree removal and/or maintenance in the Shoreline jurisdiction, please refer to the City's website or contact the Community Development department for additional information.