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**THE COUNCIL OF THE CITY OF NEW YORK**

##### COMMITTEE REPORT OF THE INFRASTRUCTURE DIVISION

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**COMMITTEE ON PARKS AND RECREATION**

Hon. Peter Koo*, Chair*

November 10, 2021

**INT. NO. 957-A:** By Council Members Borelli, Yeger, Rose, Moya, Brannan, Powers and Salamanca

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to the replacement of city-owned trees that have been lawfully removed

**ADMINISTRATIVE CODE:** Amends section 18-107

**Introduction**

On November 10, 2021, the Committee on Parks and Recreation, chaired by Council Member Peter Koo, held a hearing to vote on Int. No. 957-A, sponsored by Council Member Borelli, A Local Law to amend the administrative code of the city of New York, in relation to the replacement of city-owned trees that have been lawfully removed. At this hearing, the Committee voted 13 in favor, 0 opposed and 0 abstentions on the bill. This legislation was originally heard at a hearing held on September 27, 2021, during which the Committee received testimony from the Department of Parks and Recreation (DPR), advocates and other interested parties. More information about this bill, along with the materials for that hearing, can be accessed [here](https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3521892&GUID=8CAC0469-BB41-4223-A7BB-009F7C6DAFF8&Options=Advanced&Search=).

**Legislation**

Below is a brief summary of the legislation being considered today by this Committee. This summary is intended for informational purposes only and does not substitute for legal counsel. For more detailed information, you should review the full text of the bill, which is attached below.

**Int. No. 957-A, A Local Law to amend the administrative code of the city of New York, in relation to the replacement of city-owned trees that have been lawfully removed**

This bill would limit the number of replacement trees that are required to be planted by DPR, by individuals and by entities that lawfully remove trees during construction projects in certain lower density residential districts. Specifically, the bill would require that the number of caliper inches of replacement trees be no greater than two times the number of caliper inches removed in R1, R2 and R3 zoning districts.

This local law would take effect 180 days after it becomes law.

Int. No. 957-A

By Council Members Borelli, Yeger, Rose, Moya and Brannan

..Title

A Local Law

To amend the administrative code of the city of New York, in relation to the replacement of city-owned trees that have been lawfully removed

..Body

 Be it enacted by the Council as follows:

Section 1. Subdivision e of section 18-107 of the administrative code of the city of New York is amended to read as follows:

e. The department shall promulgate such rules as may be necessary to implement the provisions of this section, including but not limited to rules governing the fee to be paid to the department and any method used to calculate the number and size of the replacement trees required to be planted, provided that: [such]

1. Such replacement trees shall, at a minimum, equal one caliper inch of replacement tree for each caliper inch of tree removed;

2. The number of caliper inches of replacement trees to be required in zoning districts R1, R2 and R3 shall be no greater than twice the number of caliper inches removed; and

3. In promulgating such rules, the department shall [substantially] comply with guidelines set forth [by the international society of arboriculture] in the most recent version of the guide for plant appraisal, published by the council of tree and landscape appraisers on or before December 31, 2017, provided that the department shall review each update to such standards and guide to determine whether any new rules should be promulgated consistent with such updated standards and guide.

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner of parks and recreation may promulgate rules or take other actions for the implementation of this local law prior to such effective date.

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