



**THE COUNCIL OF THE CITY OF NEW YORK  
FINANCE DIVISION  
PRESTON NIBLACK, DIRECTOR  
FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO: 4-A**

**COMMITTEE: Parks and Recreation**

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**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to replacement of trees.

**Sponsor:** By Council Members Foster, Dickens, Gonzalez, James, Lappin, Mark-Viverito, Mealy, Palma, Nelson and Dromm

**SUMMARY OF LEGISLATION:** This legislation would require any person who intends to remove a tree within the jurisdiction of the Department of Parks and Recreation to obtain a permit prior to tree removal. The Parks Department would charge a fee for each permit sufficient to cover the cost of replacing any tree that is removed and, if replacement trees are planted by the permittee, the fee would be returned upon completion of the planting. In all other cases, the Department would retain the fee for the purposes of planting replacement trees.

Before permits are issued, the Department would inform the person requesting the permit in writing about the fee required, the size and number of replacement trees to be planted, the method used in these calculations, and the period of time in which replacement trees need to be planted. This information would be provided no longer than ninety days after a completed permit application is filed.

Replacement trees would be required to equal at least one caliper inch for each caliper inch of tree removed. The exact nature of replacement, and the amount of the fee required, would be based on rules set forth by the Department. The Department's rules are required to substantially comply with guidelines set forth by the International Society of Arboriculture. The location of replacement trees and timing of planting would be determined by the Department's horticultural officer, provided that the replacement trees are planted within sixty days after the project is completed or in the next spring or fall season. To the extent possible, replacement trees are to be planted in the same community district where they were removed.

These provisions, excepting the payment of the fee, would apply to all city agencies, which would also be required to develop a tree site plan in consultation with the Department regarding the location of replacement trees. City agencies would have eighteen months from the completion of the project to plant replacement trees.

**EFFECTIVE DATE:** This local law would take effect one hundred eighty days after it would have become a law, except that the department of parks and recreation would, prior to such effective date, take such actions as are necessary to implement the provisions of this law.

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**FISCAL IMPACT STATEMENT:**

	<b>Effective FY10</b>	<b>FY Succeeding Effective FY11</b>	<b>Full Fiscal Impact FY10</b>
<b>Revenues (+)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Expenditures (-)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**IMPACT ON REVENUES:** There would be no impact on revenue as a result of this legislation because all permit fees retained by the Parks Department would go to the planting of replacement trees.

**IMPACT ON EXPENDITURES:** There would be no impact on expenditures resulting from the enactment of this legislation.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** City Council Finance Division

**ESTIMATE PREPARED BY:** Jonathan Rosenberg, Deputy Director  
Walter Pitts, Legislative Financial Analyst

**HISTORY:** Introduced as Int. 4 by Council and referred to the Committee on Parks and Recreation on February 3, 2010. On February 23, 2010, the Committee held a hearing on Int. 4 and it was laid over. An amendment has been proposed, and the bill will be considered by the Committee as Proposed Int. 4-A on March 2, 2010.