



October 28, 2022

Reverend-Chief White-Hammond and Zoe Davis
City of Boston, Environment Department
Boston City Hall

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PRESIDENT & CEO

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RE: A Better City’s Comments on the RFI for Tree Planting on Private Land

Dear Reverend-Chief White-Hammond and Ms. Davis,

On behalf of our 130 member businesses and institutions, thank you for your leadership on extreme heat solutions and urban forestry in the City of Boston. A Better City congratulates you and the Wu Administration on the comprehensive Heat Plan and 20-Year Urban Forest Plan, and we are grateful to have the opportunity to provide comments on how to promote tree planting on privately owned land in Boston. We appreciate the City’s efforts to find solutions for tree planting on privately owned land *in partnership* with the business community and private landowners, at a time when many businesses are overwhelmed by compliance planning for multiple parallel and emerging policies impacting the built environment in Boston.

A Better City was honored to sit on the Community Advisory Board for the 20-Year Urban Forest Plan as a Collaborating Partner, and to participate in the Developer Focus Group hosted by consultants in February 2022 – many of our comments are informed by comments offered by members and colleague organizations in the Developer Focus Group and in A Better City’s member events around the Urban Forest Plan.

Below, we offer detailed comments urging the City to consider expanding and building upon existing opportunities to engage private landowners in tree canopy enhancement on privately owned land, prior to moving forward with the formation of a new governing body like an Alliance. We continue to hear concern from our members around the multiple layers of policy impacting the built environment in Boston that are making it difficult for developers and private landowners to plan (across BERDO 2.0, the ZNC zoning standard, and soon to come updates from the Stretch Energy Code, Specialized Municipal Opt-In Stretch Energy Code, and fossil fuel ban demonstration projects as per the 2022 Climate Act). We hope that our comments can help to suggest pathways forward in partnership with the business community, that will help enhance tree canopy for both private and public benefit.

The business community remains committed to helping the City achieve our climate goals and to create the clean economy of the future, and we thank you for your ongoing collaboration.

Sincerely,

Richard A. Dimino
President and CEO

Enclosures: 1

cc: Michelle Wu, Mayor, City of Boston

Alison Brizius, Commissioner of Environment Department, City of Boston

ATTACHMENT A: DETAILED COMMENTS ON THE CITY OF BOSTON'S REQUEST FOR INFORMATION REGARDING TREE PLANTING ON PRIVATELY OWNED LAND

PLANTING STRATEGY

- **Clarifying Priority Tree Planting Neighborhoods:** It would be helpful to understand from the City what specific areas are priority environmental justice neighborhoods, and then within those neighborhoods, which specific city blocks and districts are of highest priority for tree canopy expansion. In addition to providing a list and/or map of priority areas by neighborhood, it would be helpful to then understand feasibility by priority area, as planting will be impacted by space, gas leaks, runoff, and other factors. In the example of Chinatown, both an environmental justice community and a heat island, we know that it can be very difficult to find any locations for new tree plantings that are likely to survive. For areas that are particularly difficult to find space for planting new trees, we wonder if containerized trees have been explored, whose root structures are less disruptive to pavement, and can be moved in the event of utility work. Finally, we recommend looking into [Groundwork Lawrence's work on Green Streets](#), and considering their efforts to engage residents in tree planting at their homes or businesses.
 - **Recommendation: A Better City recommends clarifying what specific areas within environmental justice neighborhoods are of highest priority for new tree planting along with their relative feasibility, as well as clarifying which areas may prove difficult for maintaining healthy trees (and therefore should be avoided). We also recommend exploring opportunities to offer incentives, free tree giveaways, and other opportunities for tree planting on private land in partnership with residents and businesses, like in [Groundwork Lawrence's Green Streets](#) work.**
- **Facilitating Community-Based Organization and Business Community Partnerships:** It would be helpful to have the City act as a facilitator between community-based organizations located in and serving priority environmental justice communities, and the private sector that impacts those communities. It will take time to build trust, partnership, and collaboration between the communities intended to benefit from a planting strategy in environmental justice neighborhoods and the private landowners in and adjacent to these communities.
 - **Recommendation: A Better City recommends the City help to facilitate long-term partnerships between community-based organizations in environmental justice neighborhoods and private landowners.**

LONG-TERM CARE

- **Offering Tree Maintenance Training for Existing Facilities Staff:** Private landowners often have landscaping crews and facilities staff to care for tree canopy on their private land. Where appropriate, we urge the City to expand upon and offer training for existing landscaping crews and facilities staff to enhance tree canopy long-term care; efforts to improve tree canopy on private land cannot displace existing staff and facilities crews employed by private landowners. Additionally, connecting these trainings with the PowerCorps Boston efforts could potentially help to identify eligible candidates for expanded forestry roles on private property. Finally, we suggest the City provide a list of non-profit organizations with proven track records on tree canopy care and long-term stewardship to private landowners for reference for future tree canopy care.
 - **Recommendation: A Better City recommends providing training on long-term care to existing facilities and maintenance staff maintaining private and institutional land, in coordination with PowerCorps Boston's forestry tract. We also recommend publishing a list of non-profit organizations with proven track records for helping to maintain tree canopy on private land in Boston.**
- **Clarifying Best Practices:** It would be helpful to understand best practices for planting, maintenance, and ongoing stewardship of urban tree canopy on private land. A Better City members are interested in knowing what tree species are most likely to survive future climate projections in Boston (incorporating factors like extreme temperatures and drought tolerance), and how to avoid tree mortality in new plantings. In addition to beneficial tree species that are more drought- and climate change-tolerant, it would also be helpful to understand which native tree species would fare best on private land.

- **Recommendation: A Better City recommends clarifying best practices for long-term care and maintenance, including what tree species are most likely to survive future climate projections (prioritizing native species when possible).**
- **Incorporating the Role of Tree Canopy Data:** Some private landowners, like higher education institutions and healthcare campuses, may already have baseline quantitative and qualitative data on their existing tree canopy. Particularly for campuses like Harvard University’s Arnold Arboretum, it would be helpful to compile existing tree canopy data on private land, in partnership and with permission from institutional and others private landowners across the city. We remain concerned that the Urban Forest Plan has little to no data on the over 60% of tree canopy on privately owned land; it would be helpful to establish citywide baselines and neighborhood-specific baselines for tree canopy data on privately owned land, and to establish a user-friendly database to help update tree canopy data on privately owned land, as a foundational part of long-term urban tree canopy benchmarking.
 - **Recommendation: A Better City recommends working with higher education, healthcare, and other large institutional landowners to begin to establish baseline data for Boston’s over 60% of tree canopy located on privately owned land.**
- **Lead By Example & Case Studies:** For private landowners that do well at minimizing tree mortality rates on their properties, it would be helpful to offer incentives and other benefits to maintaining healthy, mature trees on private land. Whether through establishing a Lead By Example program tied to financial incentives for private landowners acting as tree stewards, and/or through additional opportunities to recognize and certify private properties as leaders in tree canopy maintenance, it would be helpful to think through what options there might be for “carrots” to encourage healthy tree canopy maintenance on privately owned land. Additionally, it would be helpful to share case studies of private landowner best practices for tree canopy maintenance on different types of private land in Boston.
 - **Recommendation: A Better City recommends establishing a Lead By Example program to highlight private landowners who do well in long-term care and stewardship in their tree canopy (through managing tree canopy loss, mature trees, and native tree species, for example), and to publish case studies of successful long-term care on private land.**
- **Offering Financial & Technical Support for Arboretum Establishment:** We heard in the 2022 Developer Focus Group for the Urban Forest Plan that establishing arboretums on private property developments would be of interest to many developers, but that there can often be financial and technical barriers to getting the required materials submitted (particularly on affordable housing properties). If the City could help to provide financial and technical assistance, when appropriate, to private landowners who are interested in establishing or exploring arboretums on their property, then this might also help to incentivize long-term care and maintenance.
 - **Recommendation: A Better City recommends providing financial and technical assistance to private landowners for the establishment of arboretums on private property, with particular focus on opportunities to support affordable housing developments that also consider arboretum status.**

PROCUREMENT

- **Prioritizing Simplicity & Consistency:** Unless there is a hybrid organization like a citywide public realm non-profit with significant private sector involvement, a proven track record, and credibility within the business community – then A Better City is concerned that the City will not be successful in implementing an Alliance in partnership with private landowners. Rather than overcomplicate the process with new governing bodies, we suggest that the City begin by looking at an examination of existing policy processes to leverage for tree planting on privately owned land. Without doing so prior to the formation of an Alliance, the City may be missing low-hanging fruit opportunities to work on tree canopy in complete collaboration with the business community and across city agencies that already impact development.
 - **Recommendation: A Better City recommends leveraging existing policy processes like Article 80 and Chapter 91, to expand opportunities for tree canopy expansion and maintenance in development processes.**
- **Establishing Green Management Associations, or GMAs:** Rather than forming an Alliance or additional governing body for private landowners to engage with, we suggest building off the precedence set by transportation Management Associations (TMAs) that help to reduce vehicle miles traveled and transportation-related greenhouse gas emissions in their neighborhoods by supporting enhanced mobility, accessibility, and alternative modes of

transportation to combustion vehicles. We recommend considering a similar structure for investment in and maintenance of private tree canopy by neighborhood. A network of Green Management Associations or GMAs across the city by neighborhood, with private landowner membership, could help to engage businesses in tree canopy care and help provide both private and public benefits on their properties and within GMA neighborhood districts. Rather than focusing on vehicle miles traveled and transportation emissions like TMAs, GMAs could instead focus on enhancing tree canopy and improving tree equity in their neighborhoods for both public and private benefit. Whenever possible, we recommend building upon existing self-organized business and private sector investment structures to help gain buy-in, provide consistency, and clarity for private property owners rather than establishing a new Alliance or citywide agency to encroach on private property. With the current political climate of multiple layers of building policy impacting private property owners in Boston at once, the reaction from the business community to the notion of an Alliance or additional governing body may not be favorable or conducive to ongoing partnership.

- **Recommendation: A Better City recommends establishing a network of neighborhood “Green Management Associations” or GMAs to help maintain tree canopy and enhance tree equity on privately owned land.**

CITY ROLE IN ALLIANCE FORMATION

- **City of Boston as a Convenor:** As mentioned previously, it will be vital to ensure that the business community does not see this effort as yet *another* layer of regulatory action, governance, and red tape, but instead sees this as an asset or opportunity to be explored in partnership with the City. City agencies could be convenors and facilitators of broader land use and green infrastructure opportunities that could benefit priority and all neighborhoods across Boston, and we strongly recommend the City to leverage its current role to advance such opportunities before considering a formal Alliance that may be difficult for the private sector to understand and support.
 - **Recommendation: Before considering the formation of an Alliance, A Better City recommends leveraging city agencies as convenors and facilitators for green infrastructure and tree canopy opportunities on privately owned land, in partnership with the business community.**

CITY ROLE IN ALLIANCE IMPLEMENTATION

- **City Role in the Alliance:** Please see the above comments on the City of Boston as a convenor.
- **Leveraging Existing Policy & Zoning to Improve Private Tree Canopy:** As mentioned above, A Better City recommends exploring the BPDA’s Article 80 process, which includes a [resilience checklist](#) considerations for extreme heat, extreme precipitation, and sea level rise, for additional opportunities to support private tree canopy implementation. Working in partnership with the business community, private landowners across multiple private land types in Boston, and tree canopy non-profit organizations, the Article 80 process could be expanded to include broader considerations for green infrastructure and tree canopy on privately owned land. In addition, we recommend exploring opportunities to leverage privately owned public spaces (POPs) throughout the City as possible tree planting and green infrastructure areas, to be pursued in partnership with landowners.
 - **Recommendation: A Better City recommends exploring the resilience checklist within Article 80 for opportunities to enhance tree canopy on privately owned land. We also recommend working with landowners of privately owned public spaces (POPs) for possible tree canopy interventions.**

ENGAGEMENT WITH PRIVATE PROPERTY OWNERS

- **Activating Private Property Owners:** A Better City suggests hosting a Focus Group of our staff and board members to discuss the RFI, if possible. It would be helpful to understand the benefits to the private sector and business community from the Montreal model for an Alliance as proposed in the RFI, and how that would be transferred to Boston. We suggest expanding upon the Developer Focus Group that was engaged for the Urban Forest Plan, to provide ongoing and long-term input from the private sector. This could be done in partnership with the City’s expanded forestry workforce, with the BPDA, and with non-profit organizations that are leaders in tree canopy and tree equity initiatives on private land. Please let us know if an initial A Better City Focus Group with private landowners across private land typologies would be useful.
 - **Recommendation: A Better City recommends hosting an initial Focus Group with A Better City staff and members, who represent private landowners across sectors of the economy in Boston, to discuss the**

intent of the RFI and possible opportunities for collaboration with private landowners beyond an Alliance. We also recommend forming a more longstanding Developer Focus Group to provide ongoing technical input from private landowners to Urban Forest Plan implementation.

- **Establishing Incentive Programs:** We recommend pursuing opportunities that provide benefits to property owners as well as to surrounding communities, through incentives, “adopt a tree” or tree cluster opportunities, and other programs. Members have suggested the possibility of setting up a tree trust to help fund long-term maintenance and stewardship of tree canopy on privately owned land, which could operate like a business improvement district to fund investments into tree canopy long-term. We suggest contacting local BIDs, including the Downtown BID and Greenway BID, to understand additional opportunities to support tree canopy on privately owned land.
 - **Recommendation: As mentioned previously, A Better City recommends establishing incentive programs to private landowners for private tree canopy enhancement, and to explore opportunities around establishing a Tree Trust for ongoing financing. We also recommend connecting with the Downtown Business Improvement District (BID) and Greenway BID on implementation.**
- **Consolidating Utility Work:** A Better City also recommends the City consider how to minimize and consolidate utility work and other initiatives to upgrade critical infrastructure that require ripping up pavement and nearby trees (one of the causes of tree canopy loss). The work that BPDA conducted on a [Smart Utilities Vision](#) could be a first step in exploring the connection between tree canopy loss and critical infrastructure upgrades. It would also be helpful to understand what components of the smart utilities vision apply to public vs. privately owned property.
 - **Recommendation: A Better City recommends considering how to consolidate utility work that often causes tree canopy loss, and to continue to leverage the [Smart Utilities Vision](#) within BPDA.**

ACCOUNTABILITY AND QUALITY CONTROL

- **Importance of Contracts/MOUs:** MOUs with private property owners need to be established by the City to ensure there is a contractual relationship before any governance structures for private tree canopy are considered. This will help to clarify liability concerns (around tree health, whether a tree falls and damages private property, what penalty structures will look like for breaking a contract, etc.). Without having terms of the partnership between the City, private property owners, and community groups established first, then there are considerable liability and trust building concerns that need addressing. Any MOU or contract must also consider what happens in instances of private land changing ownership, and in tree canopy loss beyond a landowner’s control.
 - **Recommendation: A Better City urges the City to consider what authority they or an Alliance could have on private property, without the establishment of Memorandums of Understanding (MOUs) and mutually agreed upon contractual agreements with private landowners.**

LEGAL CONSIDERATIONS

- **Implementing MOUs with Interested Private Property owners:** Please see our above comments re: the importance of contracts/MOUs.

OTHER: ADDITIONAL QUESTIONS & COMMENTS

A Better City offers the following questions for consideration, as discussed in the RFI private tree planting virtual meeting in October 2022 as well as in earlier conversations for the Developer Focus Group:

- How would liability for trees intersect with parallel liabilities like requirements for affordable housing? We have heard a lot of concerns from affordable housing developers around things like tree protection ordinances potentially harming/offering another opportunity to stall affordable housing development, for example.
- Density bonuses in other cities are attractive to developers – could there be similar incentives for tree canopy/cluster bonuses on private property, particularly those with mature and native trees?