

Burlington Conservation Board

645 Pine Street
Burlington, VT 05401
<http://www.burlingtonvt.gov/dpi>
Telephone: (802) 865-7188

*Rebecca Roman, Chair
Ryan Crehan
Zoe Richards
Evan Horne
Dale Azaria
Kelly Farrell
Alan Reichard
Lee Toomey*



Conservation Board Meeting Public Notice

Monday, September 14, 2026, 5:00 PM

311 North Avenue, Conference Room (in-person only)

1. Adopt Minutes

1.1. Accept minutes from August 3, 2026 meeting

2. Public Comment

3. Update & Discussion

3.1. Ecosystem Services Analysis

Consideration of ecosystem services analysis proposal and funding request

3.2. Draft amended vegetation ordinance

Consideration of amended vegetation ordinance

4. Conservation Board Retreat

4.1. Outdoor Spaces in America

5. Adjournment

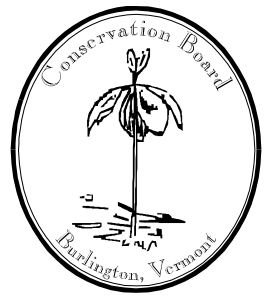
6. Informational and Non-Discrimination Statements

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Burlington Conservation Board

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Conservation Board Meeting Minutes

Monday, August 3, 2026 – 5:30 pm

Remote & In-Person Meeting

Attendance

- **Board Members:** Rebecca Roman (RR), Zoe Richards (ZR), Alan Reichard (AR), Ryan Crehan (RC), Dale Azaria (DA), Kelly Farrell (KF), Evan Horne (EH), Lee Toomey (LT)
- **Absent:**
- **Public:**
- **Staff:** Scott Gustin (Permitting & Inspections), Dan Cahill (Parks & Rec)

RR, chair, called the meeting to order at 5:37 p.m.

New Board member, Lee Toomey, was introduced to the Conservation Board.

Minutes

June 1, July 6, & 16, 2026 minutes

A MOTION was made by DA and SECONDED by EH:

Approve the minutes as written.

Vote: 8-0-0, motion carried.

Board Comment

RC noted he went to the Planning Commission meeting last week re: PlanNNE. References to development in parks will be taken out. There were a lot of articulate people who came out to speak to the matter and in favor of open space. RR noted that it's a win for us and the community. We as a board are not anti-development. The work that we've done to highlight all of the values of our open spaces is being considered.

Public Comment

None.

Open Space Subcommittee

RR, we spoke about the revised TPL proposal and the new info that PlanNNE is dropping parks and conserved open spaces from consideration of development potential. Also, we discussed and further fleshed out the NBCS pilot project centered on native plantings in stewardship zones.

Annual Organizational Meeting

The programs and services of the Dept. of Permitting & Inspections are accessible to people with disabilities. For accessibility information call 865-7188.

1. Nomination and election of Board Chair, Vice Chair, and Long Range Planning Committee representative

A MOTION was made by KF to nominate the current slate of Board officers (RR Chair, RC Vice Chair, & ZR on Long Range) to continue for another year and SECONDED by DA.

Vote: 8-0-0, motion carried.

Update & Discussion

1. Conservation Board Retreat

Discussion & creation of goals for a Conservation Board retreat

RR provided an overview. We've done one in the past. A retreat provides an opportunity to ground ourselves in what we're doing and what we want to prioritize. Our prior retreat identified some priorities from our former Open Space Plan. That plan has since been updated. Kelli Perkins can join us to help facilitate discussion around intersectionality of outdoor spaces. Any other thoughts?

ZR, we assigned ourselves a lot of tasks in the Open Space Plan. We can talk about what that involves and possibly talk timelines. DA, we can identify priorities.

RC agrees with Open Space Plan items. In the past few years, we've dealt with shorelands, wetlands, and steep slopes. We can make significant changes. ZR, we don't need to solve things in our retreat, we can figure out goal-setting. DA agreed. DA said she doesn't really understand the relationship between the Open Space Subcommittee and the full Conservation Board. It feels like a work group. It may be beneficial to better define.

SG noted that the date will be in September, a week later due to Labor Day. He asked Dan Cahill to reserve this space. We'll aim for a longer form format and avoid any application reviews. We will have some action items at the beginning. RC encouraged folks to attend in-person. ZR, have it as in-person only. RR agreed. ZR suggested a reflection on the year we've had – particularly things that came up that have not before. Consider SWAT analysis for moving ahead.

KF likes the SWAT analysis for identifying our strengths and determining what we most want to work towards. We'll aim for a 5pm start. Food and beverage from City Market will be provided.

RR left at 6:09 PM.

2. Ecosystem Services Analysis

Preview of anticipated ecosystem services analysis and funding request

SG overviewed that the study is and why we're pursuing it. SG also noted dropping workflow 3 from the proposal. As the city's parklands and conserved green spaces will not be considered for development potential in the anticipated civic assets study, workflow 3 is moot. The proposal will be back as an action item in September. ZR, concurred and said she is interested in learning what the analysis tells us. It will help us understand what healthy ecosystems do for us.

RC noted a comment that he heard at a Planning Commission meeting about being concerned with monetizing the value of green spaces. RC is interested in seeing what TPL has done for this type of analysis in other communities. ZR, is the outcome limited to monetary value? SG, no, but it will be part of the study.

KF was curious to hear more about the decision-making framework. EH, maybe it is worth spending the money to have it in our back pocket. DA, who's asking for the analysis, and how will it be used? SG noted if we go with work stream 3, we need to be prepared for continuous stakeholder engagement with the usual folks but also with the planning office and administration. RC said it seems like kicking the

hornets' nest and is unnecessary. ZR concurred. RC, the goal is broadly about supporting greater implementation of NBCS. EH, maybe adapt the peer-review subtask from work flow 3 to work flows 1 and 2.

KF, the Open Space Plan broadly defines Open Space. She's curious to know what types TPL will use in this analysis: lawns, gardens, forest, etc. ZR agreed on being specific about what's included in the analysis.

3. Draft amended vegetation ordinance

Review and discussion of latest draft of the amended ordinance

SG gave overview of the draft ordinance and the process thus far and coming up. Dan Cahill noted that authorities have been spelled out, inclusive of tree warden and deputy tree warden. The Conservation Board will serve as the tree board for the purposes of this ordinance. We've drafted standards around collecting vegetation in public spaces. We have worked to establish values for trees within the context of application reviews.

KF, as to the heritage tree definition, clarify DBH and/or age threshold.

ZR, in Sec. 2.6 definition, include flooding and flash flooding. Also, in Sec. 2.16, should we put in "native" bees and pollinating insects? KF, yes. DA, is "urban wild" in the text of the ordinance? If not, it can be removed. EH & KF both suggested more fully fleshing out vegetation varieties if there is to be a list.

KF, somewhere in Section 7 put in prohibition of soil compaction within tree drip lines.

SG, reference to Sec. 9.2 s/be 9.1 in Sec. 8.5.

DA, Sec. b 2 for green stormwater infrastructure has a typo. DA pointed out the alternatives for caliper to caliper mitigation are subject to BCB review. EH, sounds like the proposal comes through us first.

KF, is the violation penalty enough to not be worth it for the applicant? SG noted the zoning enforcement penalty of up to \$200 per day. It almost never is actually a full \$200 per day. It is a court-imposed fee. Frequently, zoning enforcement includes a stipulation agreement with a smaller penalty fee and corrective action prior to reaching a court trial.

EH, plantings in general should be subject to Conservation Board review.

Dan Cahill, should we try to define value for trees? ZR, I don't think we're there yet. RC agreed. We don't want to go too far.

DA, it looks like the city arborist will be a lot more involved. SG, he's involved in the working group. Dan Cahill noted that he is the deputy tree warden.

LT, what about vegetation other than trees?

KF, refer to herbaceous vegetation rather than to specifics as to non-tree vegetation.

Adjournment

7:16 PM.

Department of Permitting & Inspections

Zoning Division
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Scott Gustin, AICP, CFM, Principal Planner
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Kirk Dressing, Associate Planner
Joseph Cava, Permit Technician
Matt Clark, Code Compliance Officer



TO: Conservation Board
FROM: Scott Gustin
DATE: September 14, 2026
RE: Ecosystem Services Analysis

Funding approval is sought for use of Conservation Legacy Fund monies to pay for a Burlington ecosystem services analysis by Trust for Public Land (TPL). The Conservation Board initiated the idea of doing an ecosystem services analysis in March 2026. Both that Board and the Parks Commission reviewed and commented on draft project proposals earlier this summer.

Ecosystem services are a recurring theme in the Open Space Plan adopted earlier this year and also in the 2022 Nature-Based Climate Solutions Addendum (NBCS).

Open Space Plan references to ecosystem services:

- Core ecological areas, including parklands
- Smaller scale connective green networks through the community
- Cooling power of trees at a variety of scales and environments

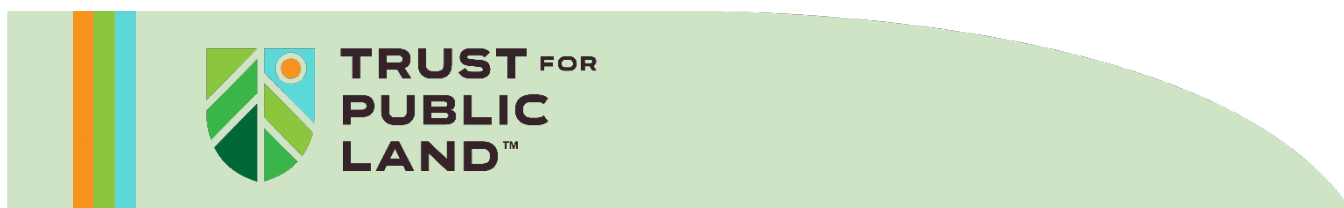
NBCS Addendum references to ecosystem services:

- Action item as to NBCS practices for tree planting to maximize delivery of ecosystem services
- Action item as to retrofitting existing infrastructure to integrate NBCS to yield as many ecosystem services as possible
- Strategy for community gardening and agroforestry, improving air quality, cooling, wildlife habitat and improving water quality
- Canopy retention and enhancement for sequestering carbon and for cooling the city in summer

Burlington is simultaneously facing housing and climate crises. The proposed TPL ecosystem services analysis will provide a better understanding, and quantification, of the multiple public benefits its open spaces provide and will help inform future decision making that integrates continuing growth with our community's green spaces. The proposal includes two primary components:

- Economic benefits of Burlington's open space
 - Stormwater management
 - Air pollution removal
 - Nature-based climate solutions
- Climate cooling analysis of Burlington's open space

The project is expected to span nine months with a total cost of \$108,000. Approval for use of Conservation Legacy Fund monies in this amount is requested.



A Proposal for the City of Burlington, Vermont

Evaluating Burlington's Parks to Guide Better Land Use Decisions

About Trust for Public Land

Trust for Public Land (TPL) is a national nonprofit that works to connect everyone to the benefits and joys of the outdoors. Since 1972, TPL has protected more than 3 million acres of public land, created more than 5,000 parks and outdoor spaces, and generated \$112 billion in public funding for parks and public lands. In Vermont, TPL has protected nearly 73,000 acres of land and connected over 8,900 residents to the outdoors.

TPL's Center for Community Impact (CCI) unites research and learning, strategy, and technical assistance into one coordinated team, including conservation economics and Geographic Information Systems (GIS). By aligning evidence, learning strategy, and on-the-ground capacity, CCI helps scale innovation and deliver measurable impacts for people and places across the U.S.

TPL has deep expertise in quantifying the economic value of parks, trails, and conserved lands, having published more than 60 economic analyses for jurisdictions across the country, including New York City, Plano, Baton Rouge, and Colorado Springs. TPL also conducts return on investment analyses, including a 2018 report on land conservation in Vermont.¹ These studies help decision makers understand how parks, trails, and open space contribute to economic development, public health, and environmental resilience.

TPL's GIS team provides best-in-class conservation planning and GIS services in support of our mission to connect everyone to the outdoors. The team brings geospatial information to planning, research and design through cutting-edge technology and software architecture that deliver customized and scalable solutions. From artificial intelligence solutions to community-generated data, we use technology to enhance the quality and

¹ https://www.tpl.org/wp-content/uploads/2018/09/Vt.ROI_.8_16_18final.digital.pdf

pace of park creation, land protection, natural resource planning, and public funding for conservation.

The results of these analyses will help support communities as they balance development with equitable access to open space through planning, policy, and funding strategies.

Project Overview

Burlington is facing increasingly complex land use decisions as it works to address housing needs, strengthen climate resilience, and maintain the parks and open spaces that contribute to the city's health, economy, and quality of life. Rather than treating these priorities as competing interests, Burlington has an opportunity to better understand and quantify the multiple public benefits its open space provides and incorporate that information into future planning and decision-making. By grounding these conversations in objective data and transparent evaluation criteria, the city can make more informed decisions that balance near-term needs with long-term community value.

To support this effort, TPL proposes a scope of work that will:

- 1) quantify the economic, environmental, and community value generated by Burlington's open space system, including its parks;
- 2) estimate the climate cooling benefits of its open space; and
- 3) identify how select peer cities are addressing pressures on open space in a way that supports housing goals, protects long-term public value, and advances equitable access to open space and nature.

The study will provide Burlington with objective evidence and nationally informed best practices that can support Burlington in making more consistent, integrated, and data-driven land use decisions.

The proposed scope of work outlined below was developed in partnership with City planning staff and members of the Conservation Board, and it is intended to complement the City's ongoing PlanBTV2050 planning process. Rather than duplicating work being completed by the City's consultant team, these analyses fill important gaps by providing new data, tools, and decision-support resources that will inform and strengthen PlanBTV2050.

Scope of Work

Task 1: Economic Benefits of Burlington's Open Space

This analysis will quantify the economic, environmental, and community benefits generated by Burlington's open space, including its parks. The results will help decision makers quantify and communicate how these spaces function as essential public infrastructure, contributing to quality of life, climate resilience, public health, and economic wellbeing.

Key questions to answer: *What value does Burlington's open space provide to residents, visitors, and the city? How should the value of parks, trails, and open space be incorporated into planning, investment, and land use decision-making? How do other communities estimate the economic benefits of open space, and how do they leverage that information?*

These analyses will be guided by the Technical Advisory Committee that will meet periodically to provide guidance on data collection and work products, ensure alignment with local planning efforts, and review work products. TPL will first work with city staff to identify relevant stakeholders for the committee.

Next, TPL will identify up to 5 case studies of cities in the U.S. that have estimated economic benefits of open space and incorporated that into policy and planning. The cities will be selected in consultation with the Technical Advisory Committee and will focus on peer cities or relevant jurisdictions that are addressing similar pressures.

Third, TPL will quantify a set of benefits for open space using established, data-driven methodologies. These economic analyses include:

- *Stormwater Management:* Quantifying the volume of stormwater managed by open space and the associated avoided infrastructure costs.
- *Air Pollution Removal:* Estimating the value of pollutants removed by trees and vegetation in open space using the U.S. Forest Service's i-Tree model.
- *Nature-Based Solutions:* Evaluating the economic and climate benefits of 3-5 selected nature-based solutions relevant to Burlington. These interventions may support cooling temperatures, increasing flood resilience, improving air quality, increasing habitat biodiversity and connectivity, and carbon storage and sequestration. The types of nature-based solutions will be selected by the client and Technical Advisory Committee.

The ecosystem service analyses (stormwater management and air pollution removal) rely on map-based land cover data, which will define the boundaries of open space in the city. We anticipate this will include at least forested areas and parkland that are managed and maintained by the city, but the final definition of open space will be shaped by the client and Technical Advisory Committee. (For example, agricultural lands or street trees may or may not be included depending on the goals of the analysis.) The nature-based solutions analysis may not rely on mapped data and therefore can address a broader range of open space types, if necessary.

TPL will also identify ways that open space support placemaking, quality of life, and mental health benefits for residents and visitors to Burlington. (This information will be qualitative rather than quantitative.)

TPL's analyses will result in an estimate of the value of ecosystem services generated by Burlington's open space and provide a strong foundation for public communication, advocacy, and long-term planning.

Task 1 Deliverables:

- Memo on the analysis of economic benefits generated by Burlington's open space, including methodology, key findings, and peer city case study summaries. This will be included in a final report summarizing both tasks.
- Virtual presentation to project committee

Task 2: Climate Cooling Analysis of Burlington's Open Space

Open spaces with trees and vegetation provide cooling benefits to the surrounding areas, mitigating extreme heat events through tree shade and cooling air through evapotranspiration.² TPL will quantify the cooling benefits of Burlington's open space through a geographic information system (GIS) analysis and identify how other cities across the U.S. are using similar information to better advocate for open space protection.

Key question to answer: *What is the quantifiable impact of Burlington's open space on land surface temperature and urban heat islands? How do other communities estimate the cooling benefits of their open space, and how do they leverage that information?*

First, TPL will identify up to 5 case studies of cities in the U.S. that have estimated the cooling benefits of open space and incorporated them into policy and planning. The cities will be selected in consultation with the Technical Advisory Committee and will focus on

² Trust for Public Land. "The Heat is On." 2022. https://www.tpl.org/wp-content/uploads/2022/09/The-Heat-is-on_A-Trust-for-Public-Land_special-report.pdf

peer cities or relevant jurisdictions that are addressing similar pressures. (These may or may not be the same cities as those selected in Task 1; including a city for both is subject to data availability.)

Next, TPL will conduct a custom GIS analysis to evaluate the cooling benefits of Burlington's parks and open space. TPL has developed a best in class nationwide 30-meter-high resolution urban heat island dataset using Landsat imagery. Following past analyses in Chicago and New York City, TPL will use this data and methodology to conduct a similar analysis for Burlington, identifying and evaluating the hotspots and cool spots within Burlington. TPL will overlay these data with parks and open space boundaries to quantify the cooling benefit these spaces provide for the community, including estimating the mean cooling benefit provided across all open space as well as the heat reduction in the parks that provide the greatest cooling benefit. Quantification of land surface temperature will be measured in degrees Fahrenheit.

Task 2 Deliverables:

- Memo on methodology and summary of key findings, including results of the GIS analysis and peer city comparison. This will be included in a final report summarizing both tasks.
- Map of Burlington's Urban Heat Island dataset
- Virtual presentation to project committee

Final Deliverables

- Final report, including an executive summary, methodology, and description of findings and recommendations from Tasks 1 and 2, professionally copyedited and designed
- In-person presentation to City leadership by up to 3 TPL staff members

Project Team

Jennifer Clinton is the Associate Director of Conservation Economics at Trust for Public Land and will serve as project manager for this effort. She leads a portfolio of economic research projects that are used to advocate for land conservation and parks across the United States, focusing on the ecosystem services, public health, recreation, and economic development benefits provided by parks, outdoor recreation, and open space. She recently completed studies in Colorado, Texas, Louisiana, and New York. She also serves as a project manager for planning and technical assistance initiatives, including greenprinting and outdoor recreation efforts in Massachusetts, Vermont, New Jersey, and Pennsylvania. Jennifer holds a BS in Politics from Fairfield University and an MS in Agricultural and Resource Economics from the University of Connecticut.

Taj Schottland is a nationally recognized climate expert with more than 15 years of experience working to improve the natural environment for the benefit of people and wildlife. He currently serves as the national Director of Climate Resilience at Trust for Public Land. In this role, he leads the organization's national climate strategy, aimed at strengthening community resilience and protecting carbon-rich landscapes. Taj also leads TPL's Climate Smart Cities program, helping cities across the country use climate, health, and equity data to target high-impact investments. Taj holds a B.A. in Human Ecology from the College of the Atlantic, where his studies focused on international climate policy and on understanding and addressing the complex interactions between human societies and the environment.

Dale Watt is a Senior GIS Project Manager with the Trust for Public Land. He oversees projects with the Climate program, the 10-minute-walk team, and a variety of others across the Center for Community Impact's work. He develops and manages TPL's urban heat datasets. Dale works with TPL staff and partners to achieve useful analysis and tools that informs park planning and decision-making. He has previous career experience in geospatial architecture on the cloud, wildlands conservation and scientific geospatial analysis, renewable energy siting, and spatial prioritization modeling. Dale graduated with a B.A. in Geography from Clark University and went on to receive an M.S. in GIS for Development and Environment, also from Clark University.

Project Schedule and Timeline

The project is anticipated to take approximately 9 months, and it accounts for two rounds of review of the final deliverables. A preliminary schedule is outlined below:

Phase/Task	Sep-26	Oct-26	Nov-26	Dec-26	Jan-27	Feb-27	Mar-27	Apr-27	May-27
Project management & check-in meetings									
Define objectives and study areas									
Task 1. Economic Benefits of Burlington's Open Space									
Identify and recruit Technical Advisory Committee									
Convene Committee Meetings									
Peer City Scan									
Stormwater Management Analysis									
Air Pollution Analysis									
Nature-Based Solutions Analysis									
<u>Submit Deliverables</u>									
Task 2. Climate Cooling Analysis of Burlington's Open Space									
Conduct GIS Analysis									
Peer City Scan									
Create Burlington Map									
<u>Submit Deliverables</u>									
Final Deliverables									
Draft Report									
Review Report Text									
Design Report									
Review Draft #2									
<u>Final Report Complete</u>									

Examples of Our Work

The Economic Benefits of Parks and Recreation in Colorado Springs

TPL worked with Colorado Springs Parks, Recreation and Cultural Services to estimate the economic benefits of the parks, trails, and recreation facilities they maintain. One of the key findings was the benefit of stormwater management – the parks and open space in Colorado Springs is worth \$10.5 million in avoided costs each year.

<https://www.tpl.org/resource/the-economic-benefits-of-parks-and-recreation-in-colorado-springs>

Climate Cooling Analysis in Chicago

TPL conducted a GIS analysis to evaluate how much cooler parks were compared to the citywide average in Chicago, and then assessed cooling benefits by park size and neighborhood. The results were integrated into an op-ed piece for our local field staff.

We found that on average, the city of Chicago has a temperature of 97.7° F. In comparison, Chicago's parks have a mean temperature of 90.3° F. Non-park areas of Chicago have a mean temperature of 98.5° , for an 8.2° difference.

Individual park averages range from as low as 76° F to as high as 111° F. Chicago's community areas also show wide disparities. The coolest is O'Hare, at 91.9° (the coolest populated is Uptown at 92.1°). The hottest is Clearing (104°) followed by Gage Park (103.3°).

Vermont's Return on Investment in Land Conservation

TPL conducted an economic analysis and found that every \$1 invested in land conservation by the State of Vermont returns \$9 in economic value in natural goods and services, such as water quality protection, flood mitigation, and food production, to the Vermont economy.

https://www.tpl.org/wp-content/uploads/2018/09/Vt.ROI_8_16_18final.digital.pdf

Budget

**THE TRUST FOR PUBLIC LAND
NEW ENGLAND
Burlington Housing and Parks Analysis
11-Aug-26**

<u>TASK</u>	<u>Budget</u>
Task 1 Economic Analysis	\$ 69,000
Task 2 Climate Cooling Analysis	29,000
PM General Project Management	10,000
Total Expenses	<u>\$ 108,000</u>

This budget accounts for one in-person presentation by TPL staff members. Optional additions (e.g., infographics, story maps, or additional presentations and draft reviews) can be included as needed and will be scoped separately.



Contact Information:

Jennifer Clinton
Associate Director, Conservation Economics
jennifer.clinton@tpl.org

Department of Permitting & Inspections

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TO: Conservation Board
FROM: Scott Gustin
DATE: September 14, 2026
RE: Vegetation Ordinance Amendment

The city's current Vegetation Ordinance dates to 1962 and was most recently amended in 1995. The Open Space Plan adopted earlier this year calls for updating this very out-of-date ordinance. A team consisting of city and state staff and a volunteer from Branch Out Burlington have taken on the task of amending the Vegetation Ordinance.

The effort to amend the ordinance began this past spring and included review of drafts by the Parks and Recreation Commission, Conservation Board, and the City Council Ordinance Committee. Comments from those draft reviews are reflected in the proposed ordinance amendment now before you for adoption.

The amended Vegetation Ordinance establishes local rules for management of vegetation citywide, including the City's urban forest. The primary goal is to establish and maintain diversity in age and species in trees that make up our urban forest, as well as broad diversity in native species of vegetation in our open spaces.

The amended ordinance includes a number of housekeeping items missing in the current ordinance such as definitions, authorities, and jurisdiction. Reference is made to statutory provisions for shade trees and applicable enabling statutes. The City Arborist and City Land Steward are identified as the statutory tree warden and deputy tree warden, respectively, and authorities for each are noted.

Roles for the Conservation Board, within the context of the Vegetation Ordinance, are articulated and include application review (as currently is the case), collaboration with the City Arborist and City Land Steward, and function as host for community discussions as to the urban forest.

The amended ordinance fleshes out responsibilities for private property owners with vegetation along public rights-of-way, particularly vegetation that encroaches. It articulates protective measures for vegetation on public property and outlines review parameters for applications that include tree removal. The amended ordinance relies on existing permit standards in the Comprehensive Development Ordinance as to tree cutting and describes mitigation measures to offset impacts related to tree removal.

The Vegetation Ordinance Team:

- Parks, Recreation, & Waterfront
 - Dan Cahill, City Land Steward
 - VJ Comai, City Arborist
 - Sophie Sauve, Parks Planning Division Director
- Permitting & Inspections
 - Scott Gustin, Principal Planner
- Branch Out Burlington
 - Jacob Holzberg-Pill
- VT Forest, Parks, & Recreation
 - Elise Schadler

Chapter 29 VEGETATION

Introduction

~~29-1 Planting certain trees prohibited. Statement of Purpose~~

~~29-2 Park commissioners to approve location and manner of planting. Applicability,~~

Authority, & Severability

~~29-3 Cutting, pruning or removing trees prohibited; exception. Definitions~~

~~29-4 Removing plants, vines, etc., prohibited. Jurisdiction~~

~~29-6 Attaching board, notice, wire, stay or support to tree prohibited. Authority of the City Arborist and City Land Steward~~

~~29-7 Penalty. General Prohibitions~~

~~29-8 Protection of Vegetation on Public Property~~

~~29-9 Obstruction of Streets~~

~~29-10 Penalties and Enforcement~~

~~29-11 Tree Removal~~

Introduction.

The Burlington Vegetation Ordinance establishes policies, regulations, and standards necessary to ensure that the City maintains robust tree and vegetation cover in a healthy manner that also mitigates risk to life and property. The goal is to establish and maintain diversity in age and species in trees that make up our tree canopy, as well as broad diversity in the presence of native species of vegetation in our open spaces, including but not limited to natural areas, parks, greenbelts, and trees and vegetation on private property.

29-1 Planting certain trees prohibited. Statement of Purpose.

~~No person shall plant or cause to be planted or assist in planting in any of the city parks or streets any variety of poplar, cottonwood or willow tree.~~

~~(Rev. Ords. 1962, § 3916)~~

29-1.1. The City of Burlington hereby finds that the preservation of existing vegetation and promotion of new plantings in all public and private ways and places is a public purpose that protects the public health, general welfare, climate resilience and aesthetics of City of Burlington for all its citizens. The provisions of Vegetation Ordinance shall be as a civil ordinance within the meaning of 24 V.S.A. Chapter 59.

29-2 Park commissioners to approve location and manner of planting. Applicability, Authority, & Severability.

~~No tree in a street, public park or other city property shall be planted except with the approval, and in accordance with the rules, of the board of park commissioners, who shall have the power to prescribe how such trees shall be planted, at what distance apart and of what variety. A tree shall be provided with supports and guards whenever, in the opinion of the board of park commissioners or its agents, such supports or guards may be desirable.~~

(Rev. Ords. 1962, § 3851)

29-2.1. Applicability

The terms and provisions of the Burlington Vegetation Ordinance shall apply to all trees and vegetation within the City of Burlington, except as otherwise provided herein.

29-2.2. Authority

This ordinance is adopted pursuant to the authority contained in V.S.A Title 13, Chapter 77, *Trees and Plants*, and Title 24, Chapters 59, *Adoption and Enforcement of Ordinances and Rules*, 61, *Regulatory Provisions; Police Power of Municipalities*, Subchapter 11: *Miscellaneous Regulatory Powers* and 67, *Parks and Shade Trees*.

29-2.3. Severability

Should any part or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof other than the part held to be invalid.

~~State law reference—Authority to appropriate sum of money to plant trees, 24 V.S.A., § 2507.~~

29-3 Cutting, pruning or removing trees prohibited; exception. Definitions.

~~No person shall cut, prune or remove a tree or shrub in a street, public park or other city property, except with the approval and consent of the board of park commissioners or of the duly appointed tree warden or city forester.~~

(Rev. Ords. 1962, § 3852)

~~Charter reference—Power of city council to remove or trim trees when necessary, § 48(XXXI).~~

~~Cross reference—Authority to remove trees, shrubs or plants from cemetery, § 9-75.~~

~~State law reference—Cutting shade trees, 24 V.S.A. § 2508 et seq.~~

29-3.1. Area of Disturbance- An area proposed to be disturbed in any manner, temporary or permanent, as a result of construction activities, plus a buffer zone of 20 feet.

29-3.2. Caliper - See “tree caliper” as defined in the Comprehensive Development Ordinance.

29-3.3. City Arborist - The City of Burlington employee of that same title having the primary responsibilities of administration and enforcement of the Burlington Vegetation Ordinance applicable to the city owned spaces that they manage. Primarily these spaces are city ROW and city parks. The City Arborist shall serve as the tree warden per VSA 24, Chapter 67.

29-3.4. City Land Steward- The City of Burlington employee of that same title having the responsibilities of administration and enforcement of the Burlington Vegetation Ordinance applicable to the city owned spaces that they manage. Primarily these spaces are natural areas, large and small, in city parks, Urban Wilds, and in the City ROW. The City Land Steward shall serve as a deputy tree warden per VSA 24, Chapter 67.

29-3.5. City right-of-way (ROW)- The real property or other legal instrument, such as an access easement, associated with transportation infrastructure, including but not limited to streets and public paths. For the purposes of this ordinance, this term is synonymous with “public way” as defined in VSA 24, Chapter 67.

29-3.6. Climate Resilience - The ability of communities, ecosystems, and businesses to anticipate, absorb, accommodate, or recover from the hazardous effects of climate change, such as extreme weather, flooding, and droughts.

29-3.7. Conservation Board – The board of the same name as included in the Comprehensive Development Ordinance.

29-3.8. Critical Root Zone - An area of root space that is within a circle circumscribed around the trunk of a healthy tree using a radius of 1 foot per inch Diameter at Breast Height (DBH).

29-3.9. DBH (diameter at breast height) – Standard measurement of tree’s diameter taken at breast height, (4 ½ feet above the ground).

29-3.10. Deputy Tree Warden – The person(s) appointed by the City Council per VSA 24, Chapter 67 who has the same authority over shade trees as the Tree Warden but who is directed by the Tree Warden. See also City Land Steward.

29-3.11. Developer – Any landowner, agent of such landowner, or tenant with the permission of such landowner who makes or causes to be made, development, or who has applied for a zoning permit within the jurisdiction of the city.

29-3.12. Drip Line – The circumference on the ground directly below the outermost branches of a tree.

29-3.13. Germplasm – The living genetic resources – such as seeds, tissues, or reproductive cells – that contain the hereditary information of a species.

29-3.14. Herbaceous vegetation – Plants that grow from their roots in the spring (perennial) or from a seed (annual). Their growth is soft and fleshy and the above-ground growth dies back each fall.

29-3.15. Heritage Tree – See Specimen Tree as defined in the Comprehensive Development Ordinance.

29-3.16. Natural Area – Lands that are managed for environmental conservation; wildlife habitat; rare, threatened, and endangered species; education and ecological interpretation; and passive recreation.

29-3.17. Natural seed bank - the dormant, viable seeds naturally stored in the soil or in plant canopies, waiting for the right environmental conditions to germinate.

29-3.18. Pocket Forest - A small and biodiverse cluster of trees and shrubs planted in a tiny urban or suburban space, often no larger than a tennis court.

29-3.19. Pollinator Garden - A specialized landscape designed to support native bees, other pollinating insects, and hummingbirds throughout their life cycles by providing nectar and pollen

resources, native host plants, and managed to provide year-round habitat.

29-3.20. Public Property – All property owned, leased, or occupied by the City or any of its administrative agencies or departments. For the purposes of this ordinance, this term is synonymous with “public place” as defined in VSA 24, Chapter 67.

29-3.21. Public Trees – Trees (shrubs and all other woody vegetation) on any public property, including park, playground or other property owned or controlled by the City of Burlington or within any city right-of-way. See also Shade Tree.

29-3.22. Rain Garden – Per US EPA, A rain garden is a depressed area in the landscape that collects rainwater from a roof, driveway or street and allows it to soak into the ground.

29-3.23. Shade Tree - Per VSA 24, Chapter 67, a shade tree is a shade or ornamental tree that is, in whole or in part, within the limits of a city ROW or public property, provided the tree was planted by the city, or is designated as a shade tree due to its cultural, historical, or aesthetic significance to the character of Burlington.

29-3.24. Sight Triangle - A sight triangle (or sight distance triangle) is an unobstructed, triangular-shaped area at an intersection, driveway, or road corner designed to ensure drivers have a clear view of traffic, pedestrians, and cyclists. See also Sec. 5.2.6 (d), Clear Sight Triangle, of the Comprehensive Development Ordinance and as may be amended.

29-3.25. Treebelt - The area between the sidewalk and the street on which trees are planted; or from the curb to the outer edge of the city right of way on a given street.

29-3.26. Tree Warden – The person appointed by the City Council per VSA 24, Chapter 67 who controls all shade trees within the City of Burlington. See also City Arborist.

29-3.27. Urban Wild - A category of city-owned parcels managed by Burlington Parks, Recreation & Waterfront and deemed as high-priority conservation lands. Burlington’s “Urban Wilds” are those properties that “provide habitat for rare and endangered plant and animal communities, wetlands and other riparian systems, flood plain, unique geological and hydrological features, important wildlife habitat and travel corridors, areas important for scientific research and education, scenic vistas, trails, passive recreation, sustainable forest communities, and cultural features.”

29-4 Removing plants, vines, etc., prohibitedJurisdiction.

~~No person shall take or carry away a plant, flower, vine, vase, pot or other vessel used for flowers or plants in a street, public park or other city property.~~

(Rev. Ords. 1962, § 3855)

29-4.1 The City Arborist, along with the City Land Steward, shall have control of all trees, including but not limited to shade trees and vegetation in any public property within the city limits relative to the spaces that they each manage and shall have the authority to plant, maintain, remove, and replace such vegetation.

29-5 Hitching horses or other animals to trees or shrubs prohibited**The Authority of the City Arborist, City Land Steward, and Conservation Board.**

~~No person shall hitch a horse or other animal to a tree, shrub or fence in a street, public park or other city property, nor leave a horse or other animal untied or tied within reach of such tree, shrub or fence, nor permit a horse or other animal to injure or deface such tree, shrub or fence.~~

(Rev. Ords. 1962, § 3853)

29-5.1. The Director of the Parks, Recreation and Waterfront Department may hire persons to be the City Arborist or the City Land Steward. It will be the City Arborist's and City Land Steward's responsibility to make recommendations in order to provide care, protection, preservation and removal of municipal vegetation specific to the public areas managed by each.

Per VSA 24, Chapter 67, the tree warden (City Arborist) controls all shade trees within city limits and enforces all laws related to shade trees and may manage infested or infected trees. The tree warden may also make cooperative and financial agreements with other entities and accept funds and resources to effectuate management of the city's urban forest. The deputy tree warden (City Land Steward) has the same authority as the tree warden but is directed by the tree warden.

29-5.2. The Conservation Board shall serve as an advisory board to the City Arborist, City Land Steward, and in their capacity reviewing zoning permit applications, to the Development Review Board as set forth in the Comprehensive Development Ordinance. For the purposes of this ordinance, duties of the Conservation Board include:

- Review of zoning permit applications involving tree removal per Section 29-10 of this ordinance.
- Assist with coordination of Arbor Day celebrations.
- Review annual goals and objectives prepared by the City Arborist and/or City Land Steward as to the urban forest.
- At the request of the City Arborist and/or City Land Steward, host community discussions as to maintenance of the urban forest.

29-5.3. No tree in a public property shall be planted except with the approval of the City Arborist or City Land Steward where applicable. Each will have the power to prescribe how such trees shall be planted, at what distance apart, and what variety. Planted trees will be provided with supports and guards whenever in the opinion of the City Arborist or Land Steward such supports or guards may be desirable.

29-5.4. Cutting, pruning, or removing trees and shrubs and herbaceous vegetation is prohibited. No person shall cut, prune, or remove a tree, shrub, or herbaceous vegetation in a public property except with approval and consent of the City Arborist or City Land Steward as applicable to the respective public areas managed by each.

29-6 Attaching board, notice, wire, stay or support to tree prohibited**General Prohibitions.**

~~No person shall attach a board, card, notice, advertisement, wire, stay or support to a tree in a street, public park or other city property without the written consent of the board of park commissioners.~~

~~(Rev. Ords. 1962, § 3854)~~

~~**Charter reference**—Power of city council to prohibit and punish willful injury to trees, § 48(XXXII).~~

~~No person shall hitch a horse, attach an animal, or any other object such as bikes, signs, wires swings, slack lines, hammocks etc. to a tree or shrub in a public property without written consent of the City Arborist or City Land Steward as applicable.~~

29-7 ~~Penalty~~Protection of Vegetation on Public Property.

~~A violation of any provision of any provision of this chapter shall be a civil offense punishable by a civil penalty of from fifty dollars (\$50.00) to five hundred dollars (\$500.00). The waiver penalty for purposes of the municipal complaint (civil ticket) shall be fifty dollars (\$50.00) for each offense. Each day the violation continues shall be a separate offense. The superintendent of parks, waterfront manager, city arborist and all law enforcement officers are authorized to issue a municipal complaint for a violation of this chapter.~~

~~(Ord. of 1-9-95)~~

29-7.1. Protection. Without written permission from the City Arborist; no person or city agency shall: (1) undertake any development activity including, but not limited to, the excavation of any ditches, tunnels, or trenches or changing the grade (adding or removing soil), and the laying of pavement within the dripline of any public tree or shrub; (2) move or park vehicles associated with any construction or development activity which may affect any vegetation, including trees or shrubs on public property; (3) compact the soil within the drip line of trees.

29-7.2. Root Protection. No person or city agency shall deposit, place, store or maintain of the city any stone, brick, sand, concrete or other materials which may impede the free passage of water, air and fertilizer to the roots on any public tree or shrub within the dripline on unpaved surfaces except by written permission of the City Arborist or City Land Steward as applicable.

29-7.3. Guarding. Guarding during construction or excavation: (1) unless the City Arborist or City Land Steward for good cause, determines otherwise, all trees or shrubs on any public property directly impinging on any excavation or construction of any building, structure or street work shall be guarded to protect the critical root zone. The critical root zone is the area of root space that is within a circle circumscribed around the trunk of a healthy tree using a radius of 1 foot per inch diameter at breast height.

29-7.4 Collection. Without written permission from the City Land Steward; no person shall collect seed or germplasm from any public property. Permission may be requested if seed or germplasm collection is intended solely for ecological restoration, scientific research, and regional seed increase. Collection of seed or germplasm from public property may not be utilized for the development of patentable cultivars, non-native applications, or profit-driven, trademarked varieties that fall outside of the mission of regional biodiversity support. Collectors

must provide to the City Land Steward a target species list and associated locations, and collection protocols that outline respect to population size, species life cycle, and natural seed production, ensuring that a natural seed bank remains healthy to feed local wildlife and allowing the populated to persist in the landscape.

29-8 Obstruction of Streets.

29-8.1. Private Property Pruning. The city shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from and or interferes with visibility of any traffic control device, sign, or is impeding views within the site triangle of an intersection.

29-8.2. Obstruction. It shall be the duty of any person owning private property bordering on a city ROW to ensure that trees and shrubs on that property are pruned in a manner that will not obstruct or shade streetlights, obstruct the passage of pedestrians on sidewalks, obstruct vision of traffic signs or obstruct views within the sight triangle of an intersection. If trees are interfering with utility wires, it is the obligation of the appropriate utility company to correct the situation.

29-8.3. Property Owner Responsibility. Should any person owning private property bordering on any city ROW fail to comply as hereinabove provided, the City Arborist or designee shall order the owner to take corrective action within fifteen (15) days after receipt (certified letter) of written notice. The order requires herein shall be served by mailing a copy of it to the last known address of the property owner.

29-8.4. Removal of Hazardous Conditions. Every owner of any tree overhanging any city right-of-way within the City shall remove all dead, diseased or dangerous trees, or broken or decayed limbs, which poses a threat to safety of the public or other trees.

29-8.5. Private Owner Compliance If any person owning real property bordering on any city ROW fails to comply as herein above provided, the City Arborist or designee shall order the owner to take corrective action within fifteen (15) days after the receipt of written notice. The order required herein shall be served by mailing a copy of it to the last known address of the property owner. In the event that required corrective action is not taken by the property owner, the City Arborist shall have the authority to undertake the required corrective action. In such case, a penalty fee of \$500 shall be assessed to the property owner per Sec. 29-9.1 of this ordinance.

29-9 Penalties and Enforcement

29-9.1. Penalty.

Shade Trees: Whoever shall willfully mar or deface a shade tree, or who willfully and critically injures or cuts down a shade tree, without the written permission of a tree warden or legislative body of the municipality shall be fined according to the provisions of VSA 24 § 2510.

Other Trees: Except provided for in Sec. 9.3, Enforcement, below, a violation of any provisions of this ordinance shall be a civil offence punishable by a civil penalty from one hundred dollars (\$100.00) to five hundred dollars (\$500.00). The waiver penalty for purposes of the municipal complaint (civil ticket) shall be seventy five dollars (\$75.00) for each offense. Each day the violation continues shall be a separate offense. The [Superintendent of Parks] Director of Parks

and Recreation, [Waterfront Manager], Superintendent of Park Planning and Development, City Arborist, City Land Steward, and all law enforcement officers are authorized to issue a municipal complaint for a violation of this chapter

29-9.3. Parking on sidewalks and treebelts.

The penalty for parking on a sidewalk or treebelt in violation of this ordinance shall be as per Motor Vehicles & Traffic/Section 20-66 Penalty (B) (3) of the City Code of Ordinances.

29-9.3. Enforcement. The Tree Warden and Deputy Tree Warden have enforcement authority over all shade trees within the City of Burlington. Enforcement and appeals processes as to shade trees shall be as per VSA 24, Chapter 67. Enforcement as to trees on private property shall be per the Comprehensive Development Ordinance, as may be applicable. This ordinance does not preclude enforcement measures as per applicable state statute.

29-10 Tree Removal.

29-10.1. Shade Trees

(1) The removal of any shade tree shall be subject to the provisions of VSA 24, Chapter 67.

29-10.2. All other Trees

Including, but not limited to, all public trees that are not shade trees and trees on private or institutional property.

- (1) Application for tree removal requiring a zoning permit per Article 3 of the Comprehensive Development Ordinance (CDO) shall require review by the Conservation Board who will provide a recommendation to the Development Review Board. The application plan shall indicate the size, species, and location of all trees to be removed.
- (2) Conservation Board review will occur within the parameters set forth in the CDO including, but not limited to, consideration of the size, species, and location of all trees to be removed and proposed mitigation measures.
- (3) A planting plan illustrating the size, species and location of trees to be installed is required, unless other mitigation measures are proposed instead. The planting plan shall include a chart summarizing sizes of trees to be removed and trees to be planted.
- (4) Removal of heritage trees is strongly discouraged.
- (5) The Conservation Board shall consult with the City Arborist in its review of the proposed application for compliance with city's tree removal mitigation measures. The Conservation Board shall also consider the impact, if any, on all trees with a caliper of 6 inches or greater and shall make recommendations for the preservation of existing trees and for the species, size, and location of new plantings.

29-10.3. Application. Application plans shall illustrate the location of the protective tree fence around trees to remain, including details of such. Additionally, the following measures must be addressed by the applicant and inspected by the city arborist prior to the start of work:

- Protective tree fence must be installed.

- All trees to be removed and all trees to remain within the area of disturbance must be clearly marked at the base of each tree with visible non-removable marking indicating the status of each tree.
- It is recommended that permanent spray paint be used for trees to be removed (red) and trees to remain (green).

29-10-4. Mitigation Measures.

- (1) Except as provided for in (2) below, new trees shall be planted caliper-for-caliper for removed trees. For example, removal of a 20 inch caliper tree may be offset with planting five 4 inch caliper trees. Replacement trees may be planted onsite or offsite within the City of Burlington. Offsite planting shall be subject to Conservation Board recommendation in consultation with the City Arborist or Land Steward.
- (2) In the event that replanting per (1) above is impractical or impossible as determined by the Conservation Board, the applicant shall:
- A. Make payment to a designated city tree planting fund in an amount determined in accordance with the current Guide for Plant Appraisal as reviewed and approved by the City Arborist or City Land Steward; and/or.
 - B. Install and maintain onsite green stormwater infrastructure utilizing appropriate native plant species that mitigates the 10-year storm event (see City Code of Ordinance, Chapter 26).
 - C. Mitigation measures in items (1) and (2) A and (2) B above may be used in whole, or in part, for mitigation of tree removal. For example, mitigation for tree removal can include replanting new trees, payment into a planting fund, and/or installation of green stormwater infrastructure.

OUTDOOR SPACES IN AMERICA

Race, Power, Access, and Belonging: a historical and intersectional view of how Americans have used and experience the outdoors

Kelli Perkins, Ed.D.
Director of Racial Equity, Inclusion, & Belonging
City of Burlington, VT



The question is not simply: “Who goes outdoors?”

It is also: Who owns it, controls it, feels safe in it, and gets to define what it is for?

Access

Can people physically reach outdoor spaces?
Are they affordable, accessible, and connected to transit?

Belonging

Are people welcomed—or treated as suspicious, out of place, or dangerous?

Power

Who makes decisions about land, conservation, recreation, development, and enforcement?

Intersectionality asks us to examine how race interacts with gender, class, disability, age, citizenship, sexuality, and Indigenous sovereignty.

Before “public lands”: Indigenous relationships to place

Outdoor space is not an empty backdrop. It is homeland, livelihood, relative, memory, and responsibility.

Indigenous nations developed sophisticated systems of stewardship, seasonal movement, agriculture, hunting, fishing, and ceremony.

Colonization transformed land into property and disrupted Indigenous governance through warfare, treaties, forced removal, allotment, and boarding schools.

Many national parks and protected areas were established on lands from which Indigenous people had been displaced or excluded.

Today, Indigenous communities continue to defend treaty rights, cultural access, language, sacred places, and sovereignty.

Key shift:

**From land as relationship and responsibility →
land as property, resource, scenery, and
recreation.**

**Examples: Yellowstone and the displacement of Native peoples;
the Blackfeet relationship to Glacier National Park; contemporary
tribal co-management.**

Enslavement: Outdoor space as labor, surveillance, and violence

For enslaved Black Americans, the outdoors was often a workplace and a site of control—not leisure.

Plantations, fields, forests, rivers, and roads were spaces of forced labor and surveillance.

Enslaved people's movement was restricted through passes, patrols, slave codes, and violence.

Outdoor knowledge—of plants, waterways, animals, weather, and terrain—supported survival, resistance, escape, and community.

Recreation, hunting, fishing, and gathering were shaped by unequal control over time, land, tools, and bodily freedom.

Contradiction:

The American ideal of freedom in nature developed alongside a system that denied freedom to millions.

Emancipation did not create equal access

Freedom expanded—but public space remained shaped by racial terror, segregation, and unequal wealth.

Black communities built churches, schools, mutual-aid societies, parks, beaches, swimming holes, and outdoor gatherings.

Lynchings, racial terror, and policing made travel, camping, swimming, and simply being outside dangerous in many places.

Jim Crow laws and customs restricted access to parks, pools, beaches, resorts, and transportation.

Black landownership and collective land projects created important spaces of autonomy, family life, and recreation.

Important distinction:

Legal freedom to move is not the same as practical freedom to move safely.

Examples: Black beach communities; African American resort towns; the role of churches and fraternal organizations in organizing excursions.

The creation of parks and the “American wilderness”

Conservation protected places—but often reproduced racial and colonial hierarchies.

The national park idea grew in the late 19th century alongside expansion, extraction, tourism, and settler colonialism.

“Wilderness” was often imagined as uninhabited, erasing Indigenous presence and management.

Park creation could involve removal of Indigenous communities and restrictions on longstanding uses of land.

Access depended on transportation, money, free time, equipment, and whether visitors were perceived as belonging.

A layered history:

Preservation can protect ecosystems while also displacing people or limiting cultural practices.

Black outdoor life: recreation, resistance, and joy

Black Americans have long created outdoor cultures—not merely responded to exclusion.

Black hikers, cyclists, anglers, swimmers, campers, hunters, farmers, and environmental organizers built traditions of outdoor life.

Black newspapers, clubs, churches, colleges, and civic groups organized outings and advocated for access.

The outdoors became a place for family, health, celebration, political organizing, and freedom-making.

Contemporary organizations challenge the idea that outdoor recreation is inherently white or new to Black communities.

People to know:

Hattie Carthan

MaVynee Betsch

Rue Mapp

Hazel Johnson

George Washington Carver

Gender and race: Who is allowed to be “adventurous”?

Outdoor freedom is also shaped by gender norms, sexual violence, caregiving, and representation.

Women of color have often balanced outdoor participation with expectations of caregiving, respectability, and family labor.

Black women’s relationships to land include farming, environmental justice, recreation, and protection of community health.

Trans and gender-nonconforming people may face harassment, misgendering, or safety concerns in public facilities and outdoor settings.

The cultural image of the explorer, mountaineer, hunter, or conservationist has often centered white masculinity.

Intersectionality prompt:

How do race, gender, sexuality, and bodily autonomy change the meaning of “feeling free outdoors”?

Class, housing, and infrastructure shape outdoor access

A park may be technically public but practically unreachable.

Historic redlining and segregated development shaped where parks, trees, trails, and clean waterways were located.

Lower-income neighborhoods have often experienced fewer amenities and greater exposure to highways, industry, flooding, and pollution.

Transportation, entry fees, equipment costs, paid time off, childcare, and digital information affect participation.

Urban parks can be sites of community care—but also of policing, displacement, and gentrification.

Equity question:

Is the goal equal park acreage—or equitable access to safe, healthy, culturally meaningful outdoor space?

Disability and the right to experience nature

Accessibility is not an add-on; it is part of public belonging.

Trails, beaches, campsites, restrooms, transportation, signage, and emergency systems may create barriers.

Disability intersects with race, poverty, age, and chronic exposure to environmental hazards.

The disability rights movement challenged exclusion from public life and helped establish legal accessibility obligations.

Universal design and adaptive recreation expand participation without requiring people to justify their presence.

Design principle:

Nothing about outdoor access should assume one body, one pace, one sensory experience, or one way of navigating.

Immigration, citizenship, and the feeling of being watched

Outdoor spaces can offer connection—but can also expose people to surveillance and exclusion.

Immigrant communities bring diverse outdoor traditions, including fishing, gardening, soccer, hiking, festivals, and collective recreation.

Language access, transportation, documentation fears, difference in religious and cultural practices and unfamiliar rules can limit participation.

Racial profiling and immigration enforcement can shape whether people feel safe in parks, trails, workplaces, and public gatherings.

Community gardens, cultural festivals, and neighborhood parks can become sites of belonging and intergenerational connection.

Belonging is material:

People need more than an invitation. They need safety, information, representation, and freedom from surveillance.

Environmental justice: When the outdoors becomes a health burden

Race and place influence exposure to pollution, climate risk, and environmental harm.

Communities of color have often faced disproportionate exposure to hazardous facilities, highways, contaminated land, heat, and flooding.

Outdoor workers—including farmworkers, landscapers, construction workers, and waste workers—experience environmental risk as a condition of employment.

Climate change intensifies heat, storms, wildfire smoke, flooding, and unequal recovery.

Environmental justice movements connect clean air, clean water, land, housing, health, labor rights, and democratic power.

Core insight:

A healthy relationship with the outdoors requires the right not to be harmed by the environment.

Safety is experienced differently

The same behavior can be read as recreation, trespassing, disorder, or threat depending on who is doing it.

Black people and other people of color may experience heightened scrutiny while hiking, birding, swimming, camping, or using private-looking spaces.

Policing and private security can determine who is questioned, removed, searched, or criminalized.

Women, LGBTQ+ people, disabled people, and immigrants may weigh additional risks when deciding where and when to go outdoors.

Community-led safety strategies include accompaniment, education, restorative practices, better design, and accountability.

Question to discuss:

What would it mean to design outdoor spaces around dignity and safety rather than suspicion and control?

A short timeline of contested outdoor access

The story is not linear: exclusion, resistance, reform, and new forms of displacement often overlap.

Pre-1800s

Indigenous stewardship; colonization and land seizure

1619–1865

Enslavement; forced labor and restricted movement

1865–1940s

Jim Crow, racial terror, Black landownership and recreation

1872 onward

National parks; conservation and Indigenous displacement

1950s–1970s

Civil rights, desegregation, environmental and disability rights

1980s–today

Environmental justice, inclusive recreation, land-back and co-management

What does more equitable outdoor access look like?

Moving from symbolic inclusion to shared power and measurable change.

Center Indigenous sovereignty, treaty rights, cultural access, and land-based knowledge.

Invest in parks, trees, trails, transit, waterfronts, and clean environments in historically underserved communities.

Make outdoor infrastructure accessible across disability, age, language, and mobility differences.

Support community-led recreation, cultural programming, youth leadership, and outdoor workforce pathways.

Track outcomes: who visits, who feels safe, who is employed, who makes decisions, and who benefits from investment.

Address displacement and privatization so “improvement” does not remove existing communities.

Measure belonging:

Ask residents—not only planners or agencies—what safety, access, joy, and stewardship mean to them.

DISCUSSION

Who gets to experience freedom outdoors?

What outdoor spaces have made you feel welcome, watched, unsafe, or at home?

Which histories are visible in the spaces we use—and which are missing?

What would change if communities most affected by exclusion held more decision-making power?

How can outdoor access support racial equity, public health, climate resilience, and belonging at the same time?

The goal is not simply more people outdoors. It is more people able to experience the outdoors with dignity, safety, joy, and power.

Selected sources for further study

Use these works to deepen the historical, legal, and contemporary dimensions of the presentation.

Carolyn Finney, *Black Faces, White Spaces: Reimagining the Relationship of African Americans to the Great Outdoors* (2014).

Dorceta E. Taylor, *Toxic Communities: Environmental Racism, Industrial Pollution, and Residential Mobility* (2014).

William Cronon, “The Trouble with Wilderness; or, Getting Back to the Wrong Nature” (1995).

[National Park Service](#), [African American History and Culture](#) and [Indigenous Cultural Heritage](#) resources.

[U.S. Commission on Civil Rights, Environmental Justice: Examining the Environmental Protection Agency’s Compliance and Enforcement of Title VI \(2003\).](#)

Robin Wall Kimmerer, *Braiding Sweetgrass* (2013).

[U.S. Forest Service and National Park Service histories of segregation, desegregation, and public-land management.](#)

[Outdoor Afro](#); [Greening Youth Foundation](#); [Latino Outdoors](#); [Disabled Hikers](#); [Indigenous-led land and conservation organizations.](#)