

Cutting trees, native plant life in open space or protected areas prohibited

In August 2003, a resident cut down trees in public open space property behind his Marysville home in the foothills above Cedarcrest Golf Course.

While downing the trees may have afforded better views from his home, it also cost the man nearly two years of protracted litigation, ultimately resulting in a \$10,635 judgment awarded to the City in June 2005. The resident has since moved elsewhere, and satisfied the judgment in full, City Attorney Grant Weed says.

This story illustrates all too well the risk that people run if they engage in illegal activities that impact protected areas such as open space, native growth areas, and critical areas such as wetlands, which includes streams and stream buffers.

City officials remind the public that many residential areas in Marysville contain or adjoin open space, protected native growth or wetlands. These unique public areas are threatened by many risks.

All too often they are used as illegal dumping sites, as personal woodlots, or as private areas by adjoining neighbors who have trees and plant life removed,

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trimmed, or cut down to enhance neighboring lots' views.

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In the example cited above, when the illegal activity was discovered, the City

filed suit in Snohomish County Superior Court to recover damages, Weed says.

A state statute allows the City to recover treble, or triple, damages for illegal tree cutting, commonly known as “timber trespass.”

The City regulates activities within critical areas such as wetlands and sensitive habitats. The Zoning Code (Title 19) found in the Marysville Municipal Code lists these regulated activities, specifically in Chapters 19.24.070 and 19.24.190.

Examples of regulated activities include dumping, removing or dredging soil and other materials, and destroying or altering habitat. There are exemptions, but it is important to refer to city laws before taking action, or consult the Municipal Code (on the web at ci.marysville.wa.us).

To report suspicious activity occurring in an open space or native growth area in Marysville, Call Code Enforcement Officer Paul Rochon at (360) 363-8208.