

LARA WEISIGER

From: Denise Lai <RaisingHellForGood@gmail.com>
Sent: Wednesday, January 04, 2017 7:17 AM
To: Trish Spencer
Cc: Malia Vella; Marilyn Ezzy Ashcraft; Frank Matarrese; Jim Oddie; City Manager; Liz Warmerdam; LARA WEISIGER
Subject: Trees

Hello Mayor Spencer,

I caught some of last night's meeting live online, and I'd like to add my thoughts to the tree discussion.

Guidelines are not law. Our city needs an ordinance that creates a mandate for all city departments and residents and businesses to adhere to these guidelines.

Why?

Our city does not adhere to the guidelines. Imagining because the guidelines existing and imagining that if we make them more prominent on the website or more available somehow will correlate to people adhering to the guidelines is sheer foolishness. The city most decidedly does not adhere to the guidelines. Neither do her residents.

If my personal experience on just on my one block is any indication at all, our city trees are at terrible risk. This is what I and others have witnessed since the Master Tree Plan was instituted for our city. Clearly, guidelines are insufficient:

1. Neighbor removes 4 cubic yards of feeder roots from the street-tree liquidambar, tree fails, city removes the tree.
2. City removes 4 liquidambars at Chapin and Pacific; no pre-planting is done. Master Tree Plan requires replanting before removing a tree.
3. Neighbor fills in street-tree strip with permeable surfacing, city cannot use this particularly wide and tree-less street-tree strip to replant prior to removing liquidambars
4. Neighbor removes ginormous tree in backyard in an area of the block with very few trees, claims it is diseased; it is not. They just don't want a tree in their yard.
5. Planning Department actively advising people to just cut down their trees. In my personal experience, this has happened 5 times in 11 years. Most recently, when trying to add an ADA/universal unit in my raised basement Victorian cottage, they advised that I convert my garage space to habitable, remove my existing garage and driveway (4 parking spaces [2 'legal', 2 in driveway]) and place a single-wide driveway down the side of my house, and....wait for it....remove the existing street-tree in order to do so. Of course, I refused. In prior years, they've advised removing our fruit trees in our back yard and paving the entire back yard. Permeable surfacing is key to any neighborhood; advocating for increasing impermeable surfacing and decreasing number of trees appears to be di rigueur at Planning. FYI.

Additionally, any discussion about trees should include the quantifiable and real impact a healthy and robust urban forest has on a city:

- Decreased demand on the city's storm drain system as the canopy catches an enormous quantity of water during rains. A single mature tree alone captures 50-100 gallons of water during a storm, 1000 over the year. This is very important as you know many of our streets flood in every rain, certainly my block does.
 - o And here, please be reminded how important permeable land is to this as well
- Increase in air quality, a public health issue:
 - o capturing particulate matter: a mature tree can absorb 120-240 lbs of particulate pollution each year. This is particularly important in the West End where we are blanketed with a fine black dust every day from the shipping industry and the freeways
 - o Increased oxygen
 - o Decreased greenhouse gases, reduction in global warming
- Decrease in crime
- Cars drive slower on tree-lined streets
- Increase in property values
- Increase in quality of life:
 - o increased civic pride
 - o safer sidewalks for kids and elderly
 - o communities/neighborhoods are stronger
 - o people walk more

These are known, quantifiable benefits to our city. Allowing our historical urban forest to be reduced by hoping city staff and residents will adhere to guidelines is folly. Having an ordinance that clearly states our goal and intent as a city, to provide a long term, increasingly healthy and safe and pleasant environment through a healthy and robust urban forest with laws that require all of us to protect the urban forest is essential. As is increasing our budget for tree care. That the city budget for tree care has declined year over year, evidences the failure to prioritize our very important urban forest. I hope in the next budget discussions that you and the city council will emphasize to city management that we reverse this trend, increase the city budget for improved tree care and maintenance, for increased tree planting with the care to prevent them from dying (have you noticed how many new trees that were planted failed?—they need to be watered regularly and pruned annually [not every 5 years!]), and for educating the public to like the trees and care for them. Contrary to popular opinion, many of our resident despise trees. In my neighborhood alone, we had people actively working to remove trees and 4 properties have cemented in their street tree strips, preventing any tree from being planted. I have called Public Works many times asking what can be done to stop resident from doing this or to cause them to reverse what they've done; there's been no action. I believe there is city ordinance that states the street-tree strips must remain permeable but no one can find it; I remember reading it years ago.

Thank you for your work presenting this critical issue. I look forward to a water tight ordinance that protects our urban forest now, both city-owned and resident- and business-owned, and into the future.

Kindest regards,

Denise Lai

Denise Lai
 TEL & TEXT: +1 510 501 6467
 SKYPE: denisehylenlai
 EMAIL: raisinghellforgood@gmail.com

LARA WEISIGER

From: Ani <anidimusheva@gmail.com>
Sent: Tuesday, January 03, 2017 5:45 PM
To: Trish Spencer; Malia Vella; Marilyn Ezzy Ashcraft; Frank Matarrese; Jim Oddie; LARA WEISIGER
Subject: Item 9-A on tonight's city council agenda - public comment
Attachments: tree 3; tree 2; tree 1

Dear Mayor and Councilmembers,

I want to express my support for an improved city ordinance to increase the protection of historic/heritage trees, including adding arborist peer review. I urge you to consider the proposal submitted by Christopher Buckley, which I fully support.

Two years ago, a neighbor residing at the corner of Encinal and Sherman removed a gorgeous, healthy oak tree from the property because it was "leaning" on a shed in the yard. The removal was unwarranted in my opinion as the oak was not leaning, but rather barely touching the shed, as you can see in the photo, and due to the size of the trunk, not any apparent weakness of the tree. I would also argue that the value of the shed was negligible compared to the value of the tree lost, and that the shed could have been moved or some structural modification made to it to mitigate the conflict - and save the oak.

I am not familiar with the permits obtained in this case but I suspect they were routine and no serious effort was resolve the issue while saving the tree. My hope is that an improved ordinance and a more rigorous evaluation process for removal requests will prevent such tragedies in the future.

I would also suggest to include a provision in the city tree ordinance that would require an estimation of the lifetime value of trees (any tree, not just protected category) versus value of property whenever a conflict exists between trees and any infrastructure. This should also be the case for city infrastructure, such as street lights, signage and utility boxes that can be relocated to prevent the cutting down of a tree.

Thank you for your consideration of the matter and the protection of our urban forest.

Sincerely,
Ani Dimusheva
1401-D Central Ave, apt D
Alameda CA 94501
510-387-4084







LARA WEISIGER

From: David R Baker <drbatty@sbcglobal.net>
Sent: Tuesday, January 03, 2017 10:05 AM
To: City Clerk
Subject: Tree Ordinance E Mail On Agenda for Tuesday (Today) 1 3 17

January 3, 2017

Mayor and City Council
City of Alameda
2263 Santa Clara Ave.
Alameda, CA 94501

RE: Item 9-A Tree Protection Ordinance

Gentlepeople:

I am writing in support of directing staff to investigate improvements to Alameda Tree Protection Ordinance. The problem is that the dynamic between creating a mature urban tree canopy is in conflict with the transfer of residential real properties. Specifically, residential real properties transfer on average every 15 years; and, also typically, the new owner to the real property in question makes it his or her "own" by chopping down the mature trees on the property in question. There are many examples of this, some of which have a kind of black humor. For example, the owners at the corner of Lincoln and Eighth Street chopped down two mature palms in their front yard when if they had taken a few moments and thought about the situation they could've easily been sold to a palm broker for over \$1000 each and at least move the mature trees somewhere else. Likewise, there is the infamous and ongoing situation where each new owner of a property on Santa Clara in the 900 block manages to butcher yet again what was once a magnificent monkey puzzle pine tree.

Very truly yours,

David R Baker

LARA WEISIGER

From: Christopher Buckley <cbuckleyaicp@att.net>
Sent: Sunday, January 01, 2017 9:51 PM
To: Trish Spencer; Malia Vella; Marilyn Ezzy Ashcraft; Frank Matarrese; Jim Oddie
Cc: LARA WEISIGER
Subject: Improvements to Alameda's Tree Protection Ordinance
Attachments: 2017-1-1TreeProtectionOrdinanceMayorAndCityCouncil.pdf;
2016-12-28ScottDawsonTreeProtectionLetter.pdf

Dear Mayor Spencer and City Council members:

Please see my attached comments.

Christopher Buckley

By electronic transmission:

January 1, 2017

Mayor and City Council
City of Alameda
2263 Santa Clara Avenue
Alameda, CA. 94501

Subject: Improved City of Alameda Tree Protection Ordinance (Item-9-A on January 3, 2017 City Council agenda)

Dear Mayor Spencer and Councilmembers:

I strongly support Mayor Spencer's proposal to direct staff to investigate improvements to Alameda's Tree Protection Ordinance.

Most Bay Area communities have tree protection ordinances that cover a broad range of species and address excessive pruning and root damage. Examples are listed in the Mayor's referral. During the mid-1970s, I helped write Oakland's ordinance.

My recommendations for an improved Tree Protection Ordinance include:

1. Expand the definition of protected trees to ALL trees (not just Coast Live Oaks and the limited number of street trees listed in the current ordinance) over a specified size (perhaps 28" trunk diameter, like Walnut Creek), except for specified "undesirable" species, which could include such trees as Blue Gum Eucalyptus.
2. Require a permit for any tree "removal".
3. Define "removal" to include things like removal of over a certain percentage of a tree's canopy or height as well as removal of roots over a certain size within a specified percentage of the protected root zone.
4. For development-related tree removals, require implementation of project alternatives, alternative siting or configuration of the proposed improvements that would avoid removal.

Most of the other ordinances listed in the Mayor's referral include the above provisions and could be starting points for an improved Alameda ordinance.

Other possible ordinance provisions are listed in the statement that Scott Dawson has prepared for presentation to the Mayor and Council. With Mr. Dawson's permission, I have attached his statement to this email.

Please call me at 510-523-0411 if you would like to discuss these comments.

Sincerely,

CHRISTOPHER BUCKLEY

Attachment: Scott Dawson Statement

My name is Scott Dawson, I live at 1143 Bay Street. This fall an application to tear down a 2 car garage behind my home was submitted to the Planning Department. The plans were to expand to a 3 car garage and also build an accessory structure in the same area.

The additional area needed to build the structure is located around and between 3 Coastal **Live** Oak trees which are part of an environmentally protected class of trees as mandated by the State of California.

The trees are magnificent and because the proposed building was so close to the trees, I began to examine the City of Alameda codes and ordinances which provide specific instructions for their care and long term well-being.

I found that our City codes offer very few guidelines that detail specifically a process at the Planning Department level to evaluate projects for submission in environmentally sensitive areas for smaller projects not always subject to public review. We do not have a "checklist" that the Planning Department can use as a template to provide consistent and enforceable oversight to these types of situations. In short, as a City, we must rely on private citizens to bring their concerns to the Dept. or we are at the mercy of the applicant/developer to provide their "assessment" or "interpretation" of the environmental impact of building near a protected category of trees.

This policy leaves our city open to developer influence, and also puts an additional burden on our Planning Department which must "make a call" on projects of which they have incomplete or inaccurate information to base a decision on in regards to approval or modification of designs submitted for review.

I researched the tree protection codes of nearby cities such as Walnut Creek, Lafayette, Fremont, and Concord and found them to have more comprehensive and defined processes by which smaller projects near protected classes of trees are evaluated. A guideline for the Planning Department.

The purpose for my being here tonight is I would like to see the City of Alameda adopt a more comprehensive ordinance that establishes policies, regulations, and standards necessary to ensure that our city will continue to realize the benefits provided by an urban forest.

*To set forth the jurisdiction of the City Council over certain groups or classes of trees. And to provide a mechanism or "trigger" by which the Council will automatically review projects which have a potential environmental impact on development near these class of trees.

*To set guidelines for carrying out specific ordinance provisions for protected classes of trees.

*To establish a Tree Advisory Board or Commission to set goals and establish policy for a community forestry program.

*To specify cooperation between city departments and agencies in matters pertaining to tree resources.

*To set priorities for resolving conflicts between protected trees and proposed structures.

*To set responsibilities for tree owners of protected classes of trees on private property.

*The establishment of a Heritage or Landmark tree protection provision.

*Establishing a permit guidelines with criteria and standards for approving regulated activities such as pruning, grading, and trenching around protected classes of trees.

LARA WEISIGER

From: Trish Spencer
Sent: Saturday, December 24, 2016 12:00 PM
To: LARA WEISIGER
Subject: Fwd: Letter regarding oak protections in the city of Alameda
Attachments: December23_16LetterAlamedaOaks.pdf

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Angela Moskow <angelalmoskow@gmail.com>
Date: 12/23/2016 5:17 PM (GMT-08:00)
To: Trish Spencer <TSpencer@alamedaca.gov>
Subject: Letter regarding oak protections in the city of Alameda

Dear Mayor Herrera Spencer,

Please find a letter attached regarding the city's protections for its coast live oak trees.

Best,

Angela Moskow

California Oaks Information Network Manager
California Wildlife Foundation/California Oaks
428 13th Street, Suite 10A
Oakland, CA 94612
www.californiaoaks.org
Office: (510) 763-0282
Mobile: (510) 610-4685



December 23, 2016

The Honorable Trish Herrera Spencer
Office of the Mayor
2263 Santa Clara Avenue
Alameda, CA 94501

Dear Mayor Herrera Spencer:

California's oaks play a critical role in sequestering carbon, maintaining healthy watersheds, and providing sustainable wildlife habitat. They also add beauty and economic value to homes and neighborhoods.

J. Scott Dawson recently contacted California Oaks, a program of the California Wildlife Foundation, to share the following suggestions for increasing the City of Alameda's current protections for coast live oaks (*Quercus agrifolia*):

- 1) Additional resources (i.e., independent arborists) for City of Alameda officials to evaluate reports by the arborists and assist the Planning Department.
- 2) A clear process that delineates when an independent peer review by an arborist to be appointed by the City of Alameda would be authorized.
- 3) A comprehensive checklist that requires arborists to address issues that impact tree mortality such as drainage in the area in question and spatial requirements for roots.
- 4) Formal documentation that clearly explains the areas for which an applicant for a building permit shall be held accountable, such as protective measures during the construction process, e.g., fencing around the site or on site monitoring by the arborist during demolition.
- 5) Formal documentation that addresses the minimum requirements by which an arborist can submit their report, e.g., a recommendation or risk analysis based on current distances from structures or impact to surrounding areas.

In formulating his recommendations Mr. Dawson researched protections that area cities have in place. California Oaks finds his recommendations reasonable and we offer our organization's informational resources as the City of Alameda explores further and stronger protections for these vital natural resources. Our website, www.californiaoaks.org provides quite a few links and we also welcome the city to contact us if we can be of any further assistance.

Sincerely,

A handwritten signature in blue ink that reads "Angela Moskowitz".

Angela Moskowitz
California Oaks Information Network Manager
Office: (510) 763-0282
Mobile: (510) 610-4685