



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: Councilmember Lisa Bennett
MEETING DATE: December 6, 2006
SUBJECT: PROPOSED DIRECTION TO BEAUTIFICATION &
NATURAL RESOURCES COMMITTEE REGARDING THE
PROCESS FOR TREE REMOVAL IN PUBLIC PARKS

RECOMMENDATION: Provide direction to Beautification & Natural Resources Committee to develop a form and recommend a process that will ensure a consistent and adequate process for considering the removal of trees in public parks.

DISCUSSION: In the aftermath of the death of a visitor to the Monarch Sanctuary (the subsequent lawsuit and being cautious about potential lawsuits) and given empirical evidence that some public trees do fall every year, no one disputes the need to manage the trees in our public parks. But in the absence of an overall forest management plan, we have to be extra careful to make well-considered decisions. Our General Plan and Municipal Code (see Article IV, Section 12.16,180) provide a framework against which to make good decisions about our forests, but there are still a few rough spots in the process itself. For instance, we lack an adequate process for documenting the reasons for removing public trees. In addition, we may not be adequately complying with the Calif. Environmental Quality Act (CEQA) in our current process. By paying attention to process, we will also reassure the public that we are managing responsibly.

Therefore, I propose that we direct the Beautification and Natural Resources Committee to develop a form and to advise on a process that would be used to document the specific location, condition, degree of risk, and rationale for cutting down trees. Our Municipal Code already provides for this committee's participation in the process of appeal of a City Forester's decision, including posting and public hearing, in Section 12.16.140 (e). Therefore, it is reasonable to ask this committee to develop a process that would provide consistency in the decisions, compliance with CEQA, and adequate documentation of the reasons for removal.

FISCAL IMPACT: None.

ATTACHMENTS: List of suggested elements on the form.

RESPECTFULLY SUBMITTED:

Lisa Bennett

Digitally signed: document author.

Lisa Bennett, COUNCILMEMBER

Attachment: List of Ideas of Elements to Include on the Form.

Note: Just as on private property, on public property, each tree proposed to be cut shall require a permit adequately describing the evidence and reasoning for cutting, public noticing and an appeal process. Here are some ideas of what should be considered to comprise “adequate” rationale and documentation.

1. Mapped with Description

- * Each tree's location shall be identified with GPS Coordinates (feature available on most City Nextel Cell phones) and placed on a meaningful map of the parcel or area so an ordinary person could find the tree.
- * Each tree must be clearly marked with a bright orange ribbon that surrounds the tree, sufficient to identify the tree as marked from 50 feet away.

2. Evidence and Reasoning Required

No tree may be cut without evidence and reasons for its proposed cutting. In addition to any narrative or description --

- * Provide a color photograph(s) to illustrate the problem.
- * If the tree is leaning, provide the compass direction and angle the tree is leaning.

3. Simple Checkboxes --

Dead versus Dying

The Permit form shall have two question boxes one of which must be filled in;
NO living foliage vs. ANY living foliage.

Hazard (Threat Checkbox)

- * Describe the specific hazard. (e.g. whole tree falling, or only a branch falling.)
- * Separately rate the hazard on a scale of 1 (least) to 5 (most)

Risk (Likelihood Checkbox)

- * Describe the specific risk to life or property (e.g. potentially falling on a home, road or a trail.)
- * Separately rate the risk on a scale of 1 (lowest) to 5 (highest).

Urgency Checkbox

- * Describe the physical (not legal) urgency of the threat.
- * Separately rate the urgency on a scale of 1 to 5.

4. *Environmental Review - CEQA*

After filling in the above checkboxes, a CEQA Initial Study shall be conducted, with particular attention to the imperiled state of native Monterey pines and cumulative impacts.