



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

AGENDA REPORT

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: CELIA PEREZ MARTINEZ, BUSINESS MANAGER
MEETING DATE: APRIL 1, 2009
SUBJECT: **RECEIVE A REPORT AND CONSIDER APPROVAL OF A TREE REMOVAL IN MONARCH BUTTERFLY HABITAT ZONE, PRIVATE PROPERTY - 1037 SHORT STREET**

CEQA: CLASS 4 CATEGORICAL EXEMPTION (MINOR ALTERATIONS TO LAND) AS SET FORTH IN SECTION 15304 OF THE CEQA GUIDELINES. THIS APPLIES TO MINOR PUBLIC ALTERATIONS OF VEGETATION WHICH DO NOT INVOLVE REMOVAL OF HEALTHY, MATURE, SCENIC TREES EXCEPT FOR FORESTRY AND AGRICULTURAL PURPOSES.

RECOMMENDATION:

Receive report and find that immediate removal of a dead Monterey Pine tree at 1037 Short Street, adjacent to the Monarch Sanctuary butterfly habitat zone, is necessary to preserve public health, safety and welfare in accord with Section 12.16.240 of the Pacific Grove Municipal Code. Direct the Public Works Department to issue an emergency permit for a licensed private contractor to remove said tree.

DISCUSSION:

On March 19, 2009, the City Arborist received an arborist report on behalf of the homeowner at the above property for a tree removal. The tree is dead. The City Arborist, per municipal code denied the permit and asked the homeowner to re-submit the permit application on April 16, 2009. This would insure that the permit for removal would be issued on May 1, 2009, the first day tree work is allowed in the Monarch butterfly habitat zone.

The resident's arborist approached the city arborist on behalf of the resident and asked for an emergency permit as he deemed the tree of an immediate danger. The city arborist has inspected the tree and concurred. As you are aware, the city's municipal code forbids tree maintenance between October 1st and March 31st in and around Monarch butterfly habitat zones, within 100 yards. While an emergency permit is within the purview of the city arborist, City Council must approve any work deemed necessary in and within 100-yards of the Sanctuar during the butterfly

season. Ms. Jessica Griffiths, wildlife biologist, has confirmed that the butterflies have left the city for the season. We have basic guidelines for city staff and their contractors to follow.

The city arborist and the resident’s arborist are in agreement that the structural integrity of the tree is compromised. Staff feels that the tree removal is needed because: (1) public health, safety and welfare would be endangered by not taking the action.

FISCAL IMPACT:

None

ATTACHMENTS:

None

RESPECTFULLY SUBMITTED:



Celia Perez Martinez
PUBLIC WORKS BUSINESS MANAGER

REVIEWED BY:



Charlene Wiseman
INTERIM CITY MANAGER