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From: **Nancy Finch** <nancy.e.finch@gmail.com>

Date: Sat, Sep 6, 2014 at 7:00 PM

Subject: Re: Tree Ordinance Stakeholder Meeting Reminder

To: Gene Endicott <gene@endicottcommunications.com>

Cc: JBenassini@cityofsacramento.org, Deanna Hickman <DHickman@cityofsacramento.org>, Jamie Gomes <jgomes@epssac.com>, jim@hortscience.com, Amy Lapin <ALapin@epssac.com>

Hello Gene,

Thank you for the notice. I will not be able to attend the meeting, but I would like to pass on some questions I have. My questions are based on the latest information I have. So, hopefully my questions are still relevant.

My first question is about the purpose of the tree ordinance. Is the purpose section of the ordinance changing? It recalls the ordinance will require an update of the 1994 tree management document (I can't remember what it is called). Is this true? If the 1994 document will be updated, what is the purpose of the update? Would the update be to make that document with the changes in the ordinance, or is it to update the science and/or other outdated material that could be in the document? Is there another purpose to update the 1994 document. I hope I have the correct year.

I saw that the City chose not to use information on ordinance drafting provided by the International Society of Arborists (ISA). ISA has guidelines for developing and evaluating tree ordinances. Will there be an opportunity for citizens (even limited to those who are on the ordinance committee) to review the draft ordinance, using the ISA guidelines before the ordinance is sent to the City Council Law and Legislation Committee? What type of process is in place for public comment on the draft language? Will there be a comment period with subsequent revisions to the ordinance or an explanation as to why no change was made, similar to the drafting process for state regulations?

I have noticed that in the current ordinance requires the city to keep a list of that are appropriate for Sacramento. Will that remain? I believe it needs to remain in the ordinance. Currently, the city has a link to the Sacramento Tree Foundation website, which has a tree list for Sacramento. Will the new ordinance reference the Tree Foundation website? Does the city consider that the Tree Foundation information incorporated by reference into the ordinance? The Tree Foundation has quite a bit of very good information for the public. Since, under the current ordinance, the city has a legal duty to provide information, and the city fulfills the legal obligation by referring a citizen to the Tree Foundation, does that mean the information provides is relied upon by the city, and considered accurate and adequate for the purposes of the city tree ordinance? Primarily I am asking this question as how it would apply to a scenario where a citizen undertakes an action based on information provided by the Tree Foundation. Could the City of Sacramento later argue that the citizen either did not comply with the ordinance or violated the ordinance, even though the citizen followed the recommendations presented on the Tree Foundation website?

My last question has to do with CEQA compliance. I noticed that the city undertook a CEQA process for a plastic bag ordinance - at least I believe so. I am curious if the city intends to comply with CEQA on this, or at least inform the public about relevant environmental effects of the new ordinance, whether it is through a CEQA document or through another means. I see information from SMUD, the TRee Foundation and the City that the benefit of trees is lower energy costs and the life of asphalt roads is extended if the road is protected from the sun by shade trees, among other benefits. Will the ordinance, or some sort of preamble to the ordinance, explain what environmental benefits the city wants trees to provide to Sacramento's urban and suburban environments? I would like the information to be part of the legislative intent of the update to the ordinance. Also, I want to be able to see the connection between the stated benefits the updated ordinance will provide (if the updated ordinance is to provide new benefits that the current ordinance does not provide), and the language of the ordinance that incorporates the benefit into the ordinance. CEQA provides ideas of topics to discuss, even if the city does not do a CEQA document. For example, what the ordinance requires the city and citizens to do to maintain the urban forest may impact green house gas and climate change conditions in our city.

That is it for now. Please include this email into public comments on the ordinance that will be forwarded to the City Council Legislation and Law Committee. I look forward to your next update.

Thanks again,

Nancy Finch

CEQA

On Tue, Sep 2, 2014 at 7:04 PM, Gene Endicott <gene@endicottcommunications.com> wrote:

This is a reminder we will be holding a Sacramento Tree Ordinance stakeholder meeting on Tuesday, Sept. 9, from 3 p.m. to 5 p.m. The location is [300 Richards Blvd., Room 221, Sacramento](#).

To allow more time for internal review of proposed ordinance language, City Council Law & Legislation Committee review of the proposed updated ordinance is being delayed and no longer will occur on Sept. 16. Full City Council consideration of the updated draft ordinance also is being delayed and will no longer occur on Oct. 14 and Oct. 21. We'll communicate the new schedule as soon as it's available.

Based on direction from the City Attorney's office, we are not expecting to provide the draft proposed ordinance on Sept. 9, but will be summarizing specific anticipated changes to its key elements. We will provide the actual proposed ordinance as soon as we're able, consistent with direction provided by the City Attorney's office.

We very much appreciate your interest and involvement in this process and hope to see you on Sept. 9.

Gene Endicott

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