

Comment on the Proposed New City Tree Ordinance
City of Sacramento Law and Legislation Committee March 10, 2015

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Thank you for this opportunity to participate in the City's consideration of tree protection. I am an avid birdwatcher and concerned about the future of birdlife in the City. Trees also provide big health and economic benefits to their neighbors. Sacramento has been a leader in protecting and growing its urban forest for these reasons.

Background problems that led to the present draft:

- 1) increasing level of conflict between residents and Urban Forestry over city street tree removals to facilitate infill development and the prospect of much more. Director's concern about cost of appeals by citizens and litigation.
- 2) conflict between urban infill development goals and existing tree canopy
- 3) lack of clarity regarding responsibility for street trees in certain older neighborhoods without park strips
- 4) no clear guidance on what mitigation is needed to offset removal of large canopy street and heritage trees

What the ordinance does:

- 1) removes citizen appeals of city decisions to remove trees on City property (except where there is a project requiring discretionary decisionmaking).
- 2) shifts responsibility for the City's urban forest to property owners with the prospect of much greater level of citizen/city conflict in the future over trees.
- 3) expands "protected tree" definition to more trees but with lots of wiggly words. Criteria explicitly rejected by stakeholders, e.g. "good condition" - and criteria never discussed e.g. "location allowing long term preservation." I have been advised by arborists that the benefits of a mature tree will persist for decades with proper care without the criteria of "good condition" being met. See note, next page

What the ordinance does not do

- 1) does not take an urban forestry canopy management approach
- 2) does not respond to concerns of the stakeholder group
- 3) does not establish a clear and mandatory mitigation program to ensure sustainability of the urban forest canopy
- 4) is not consistent with General Plan goals
- 5) is not consistent with CEQA. No baseline; no impact analysis; no mitigation.

Note: The description below of how to evaluate tree health is from a recent arborist report submitted to City for a development project. This quote demonstrates that “good” is the highest rating in the guide. It suggests that the City’s intent in this ordinance update is to allow average trees to be removed.

Pursuant to the Guide for Plant Appraisal (ISA 2000), tree health and structure were evaluated with respect to five distinct tree components: roots, trunk, scaffold branches, small branches, and foliage.

Each tree component was assessed with regard to health factors such as insect, fungal or pathogen damage, mechanical damage, presence of decay, presence of wilted or dead leaves, and wound closure.

Components were graded as good, good/fair, fair, fair/poor, and poor with ‘good’ representing no apparent problems, and ‘poor’ representing a tree with significant problems or damage.