

MOTION: STREET TREE PROTECTION

The Neighborhood Committee proposes that:

Whereas the City of Los Angeles has reached a settlement in the case of *Willits v. City of Los Angeles* under which more than \$1 billion in investment is being made in city sidewalk repairs and other pedestrian improvements to ensure better access for persons with mobility disabilities; and

Whereas the settlement poses a number of implications for Los Angeles' natural ecosystem, primarily for the City's street trees, which are an important component of the City's urban forest and a great asset to its residents, but which are sadly dwindling due to a number of factors; it is imperative that the City of Los Angeles implement measures to preserve, sustain, and grow its urban forest.

Therefore, the Venice Neighborhood Council recommends that the City Council adopt the following suggestions of the Community Forestry Advisory Committee letter of September 7, 2017 to Shilpa Gupta, Environmental Supervisor for the Bureau of Engineering, Environmental Management Group in regards to their Initial Study for the Environmental Impact Report for the Sidewalk Repair Program.

(1) Increase Funding for the Urban Forestry Division (UFD)

The UFD assesses all street trees prior to removal for the Program. Therefore, the UFD plays a critical role in the overall process underlying the Program. However, the budget for the UFD has not been increased as a result of the Program. Instead, the City has increasingly cut the budget funding the UFD. Therefore, the Program is using an existing resource that has been severely limited. Consequently, the UFD is unable to address other issues and needs of Angelenos outside the Program. In addition, the Program has just begun and additional repair requests for the Program should be anticipated. Therefore, the UFD will be further limited to focusing on the Program only. Given that the Bureau of Engineering (BOE) has essentially appropriated the UFD for the Program, we recommend that the City increase the budget for the UFD to enable the UFD to be more sustainable.

(2) Create a Tree Inventory Database for the City of Los Angeles.

The Program's impact on our urban forest and overall ecosystem cannot fully be assessed until the number of tree removals is quantifiable. In order for the number of tree removals to be quantifiable, we first need an inventory of all street trees in the City. We recommend that a tree inventory database be created before any additional trees are removed. This goal is consistent with a goal set forth in the City's Sustainable PLAN 2015-2016 Report. Until such an inventory is created and we can quantify the number of street trees removed and replaced, there is no baseline analysis and the EIR will be incomplete. To that end, the City should pause implementation of the Program until the inventory is complete.

(3) No Healthy Trees Should Be Removed Until Completion of the EIR, Nor Without Appropriate Mitigation Measures.

One of the purposes of CEQA is to: "[d]isclose to the public the significant environmental effects of a proposed discretionary project." The Program, on the other hand, is retroactively performing an EIR; i.e., performing an EIR after the Program has already begun implementation. Given that the EIR is not anticipated to be completed until December 2018 --- almost 2 years after the Program was initiated and the first trees removed (with approximately 200 tree removals to date) --- we are concerned that the Program's hasty implementation will be creating environmental impacts that could have been avoided and may not be readily mitigated. Another purpose of CEQA is to: "[p]revent or minimize damage to the environment through development of project alternatives, mitigation measures, and mitigation

monitoring.” CFAC recommends that the environmental impacts of the Program be first fully assessed and the EIR completed before any additional healthy trees are removed.

(4) Increase tree replacement ratio to 4:1.

We believe that the Program’s 2:1 replacement ratio is insufficient and recommend a 4:1 replacement ratio. The 4:1 replacement ratio will offer a more adequate canopy replacement and would be an appropriate mitigation measure to the removal of mature trees.

(5) Implementation of Best Management Practices.

CFAC recommends the implementation of the following best management practices for the Program: (i) The Program should not utilize the installation of root barriers; (ii) the Program should use 15-gallon trees instead of 24-inch box trees for replacement trees; and (iii) there needs to be increased species diversity in trees used as replacement trees under the Program.

(6) Improving and Increasing Transparency.

CFAC believes that the overall transparency in the Program process should be improved and increased. For example, the BOE should make available to the public all data on the location of replacement trees. Improving and increasing transparency with respect to the Program will help bolster public support for the Program.

(7) Devise and Implement an Outreach and Educational Program.

The BOE is implementing an outreach program on the Program and its associated rebate program to encourage property owners to repair their sidewalks. However, conspicuously absent from the BOE’s outreach presentation is the effect the Program will have on street trees and its associated environmental impacts. Further, the presentation neglects to mention that, in essence, all street trees must be removed for the property owner to receive the Program’s warranty.

CFAC recommends that the BOE devise and implement a stronger outreach and educational program to educate Angelenos on the Program’s impact on our ecosystem. The program should also include information on the benefits of street trees, including, but not limited to the benefits of preserving street trees and ensuring the health and survival of replacement trees.

(8) Address Effects on Wildlife and their Habitat.

Although the Initial Study identifies that a substantial impact may occur on our City’s wildlife and their habitats, to our knowledge, no appropriate mitigation measures have been implemented to prevent or minimize this impact. We believe that the EIR must assess in detail the Program’s potential impacts on wildlife and their habitat, and recommend mitigation measures be implemented that will minimize or prevent such impacts.

(9) Perform Periodic Assessment of the Environmental Impacts of the Program Following completion of EIR.

Since the implementation of the Program, issues that were not contemplated in the Willits settlement have become apparent. Further, the list of environmental issues may expand as scientific knowledge regarding environmental issues develops. To that end, we recommend that periodic assessments, such as on a yearly basis, of the environmental impacts of the Program be performed following the completion of the Program’s EIR and until completion of the Program.

(10) Implement a Mechanism to Monitor and Ensure Survival of the Program’s Replacement Trees.

To our knowledge, the Program currently does not have in place a mechanism to monitor the survival of the Program's replacement trees. Although the City is committing to watering replacement trees for the first 3 years after their initial planting, there is no system in place to ensure that property owners will water the trees and ensure their survival beyond the 3-year mark. This is especially concerning given that the survival rate for a tree is 5 years. Given the current environmental conditions and the recent drought, the survival rate for trees is particularly bleak. In addition, the Program does not contemplate how it will address restoring our canopy if the replacement trees do not survive.

CFAC believes that the City needs a long-term sustainability plan to address the monitoring and assurance of the survival of the Program's replacement trees. Further, the City should contemplate allocating a part of its budget to the implementation of this monitoring program, which should also include an enforcement aspect. The enforcement aspect may in turn help cover the costs for the system's creation and implementation. This monitoring system could be developed in conjunction with the database CFAC recommends in Recommendation (2). Until a long-term sustainability plan is devised for the replacement trees, no matter how many trees are planted, it may all be an exercise in futility and waste of funds if the trees do not survive. If the trees do not survive, the environmental impacts of the Program will be even greater than anticipated. We need a monitoring mechanism and the baseline data it will provide to ensure that the appropriate mitigation measures are implemented. Therefore, we believe it is imperative for the City to devise a long-term sustainability plan for our replacement trees.