

Communication from Public

Name: Shelley L Billik
Date Submitted: 06/21/2021 10:32 AM
Council File No: 14-0163-S3
Comments for Public Posting: The Community Forest Advisory Committee (CFAC) submits the attached objection letter in regards to the Final EIR for the Sidewalk Repair Program.



June 18, 2021

Dear Council Members,

We at the Community Forest Advisory Committee (CFAC) are writing to voice our **strong objections to the Final EIR and the proposed Sidewalk Repair Program Street Tree Policy, LAMC 62.104.1. This Ordinance will codify existing unsustainable practices for 30 years while relying on old data and misinformation.** The Ordinance fails to acknowledge that the City is attempting to address the problems inherent in current practices.

There is widespread agreement about the crucial role the urban forest must play in the health of our cities. Trees reduce temperatures, clean our air and aid in groundwater recharge. We all want walkable sidewalks and a healthy tree canopy, and we do not need to choose between one or the other. We also reject the notion that we have to choose between affordable housing and trees. The City continues to approve residential projects that remove mature trees and reduce permeable surfaces, claiming that the sacrifice is necessary to meet housing goals, but we strongly disagree. With proper planning and the adoption of best practices we can have the construction of new affordable housing AND a healthy urban forest. Unfortunately, the proposed Ordinance merely enshrines failed past practices and bad policies.

Objections to LAMC 62.104.1

1. This 30-year Ordinance will codify unsustainable practices based on old data, misinformation and legacy practices while failing to acknowledge that the City is in the process of addressing these practices. Examples include:

(A) Utilized outdated, inaccurate data to substantiate lack of impact on the tree canopy.

(i) Used an outdated and unsubstantiated inventory number of 700K street trees to determine the impact of tree removal. Failed to recognize this number was found inaccurate by the city and the city is in the process of conducting an inventory of its street trees.

(ii) Relied on the density of private trees to support insignificant impact for the removal of 12,000 trees. Failed to recognize the private tree canopy is in serious decline due to the cumulative impact of mansionization, new development, drought, and poor maintenance practices.

(iii) Failed to utilize LA County LIDAR study completed by Loyola Marymount that maps current tree canopy, stating that they (BOE) were unable to access the LIDAR data and reconcile it with their model.

(B) EIR Analysis and Street Tree Policy reflects a bias for small tree replacement and fails to consider the monetary value of ecosystem services by retaining a mature shade tree and expanding the existing tree canopy.

(i) By its own admission, to date, BOE has removed mature large street trees and replaced them with small trees “because larger trees rip up sidewalks.” Downsizing the urban forest is completely counter to the city’s needs and goals in a changed climate.

(ii) Reliance on small tree replacement forecloses the opportunity to widen street wells, increase the tree canopy, increase biodiversity, and storm water management in the future without great expense.

(iii) Utilizes 2:1 or 3:1 replacement ratio. No consideration was given to looking at a street and determining what a robust street canopy would require.

(iv) Emphasis on removal of tree. No accommodation that a tree may be under stress due to drought, improper trimming and disease, which could be remedied by watering the tree or remedial pruning. In Santa Monica in order to remove a tree there must be a finding that the tree will die in one year.

(v) The Street Tree Policy considers the size of growing space (without a requirement for tree well expansion) and the predominant street tree in the block. It fails to recognize biodiversity goals, suitability for space, climate change, stormwater management and shade.

(C) The Street Tree Policy discourages the use of sidewalk alternatives, fails to incorporate existing BOE and City Green Streets plans (links set forth on the attached as Exhibit A) and fails to state a cogent tree/sidewalk conflict resolution process.

(i) Fails to consider sidewalk bulbs and bump outs onto street (where possible), off-set sidewalks, soil considerations, and how conflicts will be resolved between BOE and UFD (SEE EXHIBIT A).

(ii) Fails to consider the difference between narrow and wide parkways. BOE has in previous policies utilized the attached BOE approved parkway.(SEE EXHIBIT A)

(ii) The Street Tree Policy downplays sidewalk alternatives by either identifying meandering sidewalks as outside of the realm of this ordinance and issuing vague legal opinions that sidewalk ramping “may” void sidewalk warranties thereby effectively ensuring that these alternatives will be neither explored nor implemented.

(iii) Fails to recognize that a tree/sidewalk conflict resolution process will be adopted within an Urban Forest Management Plan.

(iv) Fails to recognize recent increases in the budget that would allow creative solutions to some sidewalk/tree conflicts.

2. The Street Tree Policy fails to recognize the reality of the interdepartmental workings within the city.

(i) It is unclear why this new Street Tree Policy ordinance is necessary. The only difference between existing policy and this proposed ordinance is that under the existing policy notification, a tree removal notice is sent to the Neighborhood Council and CFAC. Is less public engagement the goal?

(ii) The FEIR and Street Tree Policy reflects the ingrained cultural bias against trees in BOE and Planning. UFD is underfunded and stretched thin thereby ensuring a tree will be removed rather than saved in the face of opposition from other departments.

3. Example of significant negative tree canopy impacts in the San Fernando Valley via a sidewalk repair access request.

In 2019, An elderly woman in a Valley neighborhood made a request to fix her sidewalk. The city came out and looked at the sidewalk on Sunnyslope Avenue in Sherman Oaks and made a request to remove 18 liquidambar trees on her side of the street. A subsequent inspection of the sidewalk by CFAC and the neighborhood council showed that not all the sidewalks were raising and not all the trees were diseased. Prior to removing the trees, UFD sent a crew out to significantly prune the trees, no less in the heat of August, sending the trees into decline. Ultimately 11 trees were removed. The replacement trees were planted poorly, and the neighbors complain of lack of shade and increased air conditioning bills. The woman apologized profusely as she did not intend to have so many trees removed. Neighbors were told that if they refused to have their parkway tree removed, they would be liable for any future potential lawsuit!

4. This 30-year Ordinance fails to reflect the future vision for Los Angeles. Despite evidence to the contrary, the BOE claims that the unsustainable practices listed above comply with the Green New Deal and LA SAN's biodiversity goals. The Green New Deal specifically provides that the General Plan in 2021/2025 is to include supportive policies and guidance on preserving, maintaining, and increasing the tree canopy. Further the Green New Deal calls for the review and revision of public right-of way standards to ensure optimum street tree canopy.

5. Consistent disenfranchisement of citizens of Los Angeles about trees in direct contradiction of Dudek's study findings the city needs to foster citizen engagement. There was a tremendous response to the SRP EIR from over 100 community members, including over 30 neighborhood councils across the city objecting to the wholesale determination that the removal of 12K trees is necessary and that their concerns, about the air quality, canopy cover and lack of shade was dismissed as immaterial and not warranting a plan that reflects their elected leaders' vision of Los Angeles. By utilizing the special meeting notice before adoption of the FEIR by the Board of Public Works, it also prevented neighborhood councils from responding without potential Brown Act Violations.

CFAC recommends that Ordinance **LAMC 62.104.1** not be approved by the city because of the codification of outdated and unsustainable street tree and sidewalk conflict policies. Further, we believe that the City Forest Officer is in a better position to coordinate a policy that reflects best practices for street tree removal and replacement for the Sidewalk Repair Program.

Very truly yours,

Shelley Billik

Chair, CFAC

Exhibit A

BOE Provisions

Standard Plan for a curb-extension, also known as bulb-out.

[s-484-0.pdf \(lacity.org\)](#)

Standard plans (i.e. pre-approved) by the city and ready to use.

[S-400 Series \(lacity.org\)](#)

Tree well sizes.

[S-450-4-1 \(lacity.org\)](#)

Green Streets Provisions

Parkway swales in the street

[s-482-0.pdf \(lacity.org\)](#)

parkway swale with no parking.

[s-483-0.pdf \(lacity.org\)](#)

RESIDENTIAL PARKWAY BASIN (WITHOUT CURB INLET)

[S-487-0 B-4755.pdf \(lacity.org\)](#)

RESIDENTIAL PARKWAY BASIN (WITH CURB INLET)

[S-488-0 B-4756.pdf \(lacity.org\)](#)

Communication from Public

Name: Isabelle Duvivier

Date Submitted: 06/21/2021 03:27 PM

Council File No: 14-0163-S3

Comments for Public Posting: This is Isabelle Duvivier, Vice-Chair of the CFAC, the Community Forest Advisory Committee. We are individuals appointed by our Council Offices and the Mayor to advise the City about tree policy. The sidewalk repair program began the removal of mature trees in 2017, despite not having completed an Environmental Impact Report. The purpose of this EIR is to analyze the environmental impacts, such as increased heat island effect, air pollution, loss of biodiversity, and loss of shade, by the removal our largest public trees. It took the City 3 years to finish the EIR. And many of our concerns were not addressed. The public is incredibly concerned about the impacts of these tree removals as can we seen by the more than 650 pages of comments. On April 30, 2021, BOE released their responses to the public's concerns and exactly 2 weeks later here we are about to approve the EIR with allowing the public time to review the responses. As I said before, there are over 650 pages of new material to go though. 14 days is not enough time. Many of the groups and /or individuals that have great knowledge about the issues surrounded community trees have not had time to review the comments. We ALL, the citizens of Los Angles, are in this together. We ALL want great sidewalks and shaded streets. I believe CFAC has been a good partner to you, helping advise the City and residents about tree-related issues and helping the City better understand where it needs to focus energy and improve communication/ management around canopy. As the Vice-Chair of CFAC I request more time to review the responses to our comments and changes proposed to the EIR. On a quick review the following is a list of my concerns: The city assumes, without any data, and without consulting with the Biodiversity Group in LA Sanitation and Environment, or Audubon, that loss of canopy will not affect wildlife. The EIR has incomplete data due to the fact that the tree inventory has not yet been completed and the LA County LIDAR data was not even utilized. The report is not taking into account the huge loss of canopy from other projects such as LAX expansion, LAUSD facilities upgrades and development projects. While these projects are not a part of the SRP, they are all projects that are influenced by City and State policies and have cumulative impacts on the citizens of LA. The Project acknowledges a net loss of canopy for the first 20 years of

the project. This should not be acceptable and lacks climate leadership. The report erroneously assumes a tree will reach maturity at 15 years, based on a riparian fast growing tree, Ca Sycamore and that 3 year maintenance is sufficient for a healthy future canopy. I am concerned that the EIR still refuses to address alternatives to tree removals, such as root pruning, meandering, enlarged tree wells, sidewalk ramping, sidewalk minimizing, alternative materials and staging of removals. Great cities all over the world have figured out how to accommodate their great trees.

Communication from Public

Name:

Date Submitted: 06/21/2021 12:26 PM

Council File No: 14-0163-S3

Comments for Public Posting: Attached please find Angelenos For Trees objection to the proposed sidewalk repair ordinance which codifies outdated and unsustainable practices for 30 years. The city is working on updating its tree sustainability practices and this ordinance does not reflect those efforts. Any ordinance that will remain in place for 30 years should reflect the vision of the city. We respectfully request that BOE work with the City Forest Officer to coordinate an Ordinance which reflects best practices and utilizes creative solutions to retaining mature trees where possible, and where it is not possible to save the tree to plant the right tree in the right place. We also support safe sidewalks but we don't believe it is necessary to have to chose safe sidewalks over shade. Thank you for taking the time to read the letter and for your consideration.
Jeanne McConnell Co-Founder Angelenos for Trees



June 21, 2021

Los Angeles City Council

John Ferraro Council Chamber Room 340

Los Angeles, CA 90012

Re: Objection to Sidewalk Repair Ordinance in its current form.

Dear Council Members:

We are writing to voice our strong objections to the proposed Sidewalk Repair Program Street Tree Policy, LAMC 62.104.1., the Final EIR, the Street Tree Policy and all associated actions under Item 18 on the June 22, 2021 agenda. This Ordinance will codify existing unsustainable practices for 30 years while relying on old data and misinformation. The Ordinance fails to acknowledge that the City is attempting to address the problems inherent in current practices.

There is widespread agreement about the crucial role the urban forest must play in the health of our cities. Trees reduce temperatures, clean our air and promote groundwater recharge. We all want walkable sidewalks and a healthy tree canopy, and we do not need to choose between one or the other. We also reject the notion that we have to choose between affordable housing and trees. The City continues to approve residential projects that remove mature trees and reduce permeable surfaces, claiming that the sacrifice is necessary to meet housing goals, but we strongly disagree. With proper planning and the adoption of best practices we can have the construction of new housing, safe sidewalks AND a healthy urban forest. Unfortunately, the proposed Ordinance merely enshrines failed practices and bad policies.

Objections to LAMC 62.104.1

1. This 30-year Ordinance *will codify unsustainable practices based on old data, misinformation and legacy practices while failing to acknowledge the City is in the process of addressing these practices.*

Examples include:

(A) Utilized outdated, inaccurate data to substantiate lack of impact on the tree canopy.

(i) Used an unsubstantiated inventory number of 711K street trees to determine impact of removal. Failed to recognize this number was found inaccurate by the city and the city is in the process of conducting an inventory of its street trees.

(ii) Relied on the density of private trees to support lack of impact for the removal of 12,000 trees. Failed to recognize the private tree canopy is in serious decline due to the cumulative impact of development, drought, and poor maintenance practices.

*See attached Exhibit A. These approved parkways can be amended to add a tree.

(iii) Failed to utilize LIDAR study completed by Tree People and Loyola Marymount to validate the tree canopy because they were unable to access the LIDAR data and reconcile it with the model they used.

(B) EIR Analysis and Street Tree Policy reflects a bias for small tree replacement and fails to consider the monetary value of bio services by retaining a mature shade tree and expanding the existing tree canopy.

(i) By its own admission, to date, BOE has removed mature large street trees and replaced them with small trees “because larger trees rip up sidewalks”.

(ii) Reliance on small tree replacement forecloses the opportunity to widen street wells, increase the tree canopy, increase biodiversity, and storm water management in the future without great expense.

(iii) Utilizes 2:1 or 3:1 replacement ratio. No consideration was given to looking at a street and determining what a robust street canopy would require.

(iv) Emphasis on removal of tree. No accommodation that a tree may be under stress due to drought, improper trimming and disease which could be remedied by watering the tree or remedial pruning (even if meeting the criteria set forth in the tree policy is met and therefore would be subject to removal). In Santa Monica in order to remove a tree there must be a finding that the tree will die in one year.

(v) The Street Tree Policy considers size of growing space (without a requirement for tree well expansion) and the predominant street tree in the block. Fails to recognize biodiversity goals, suitability for space, climate change, stormwater management etc.

(C) The Street Tree Policy discourages the use of sidewalk alternatives, fails to incorporate existing BOE and City Green Streets plans (links set forth on the attached as Exhibit A) and fails to state a cogent tree/sidewalk conflict resolution process.

(i) Fails to consider sidewalk bulbs and bump outs onto street (where possible), off set sidewalks, soil considerations, and how conflicts will be resolved between BOE and UFD*.

(ii) Fails to consider the difference between narrow and wide parkways. BOE has in previous policies utilized the attached BOE approved parkway.*

(ii) The Street Tree Policy downplays sidewalk alternatives by either identifying meandering sidewalks as outside of the realm of this ordinance and issuing vague legal opinions that sidewalk ramping “may” void sidewalk warranties thereby effectively ensuring neither of these alternatives will be explored or implemented.

(iii) Fails to recognize that a tree/sidewalk conflict resolution process will be adopted within an Urban Forest Management Plan.

(iv) Failure to recognize recent increases in the budget that would allow creative solutions to some sidewalk/tree conflicts.

2. The Street Tree Policy fails to recognize the reality of the interdepartmental workings within the city.

(i) It is unclear why this ordinance is necessary. The only difference between existing policy and this proposed ordinance is under the existing policy notification of a tree removal is sent to the Neighborhood Council and CFAC.

(ii) The FEIR and Street Tree Policy reflects the ingrained cultural bias against trees in BOE and Planning. UFD is underfunded and stretched thin thereby ensuring a tree will be removed rather than saved in the face of opposition from other departments.

3. Example of significant negative tree canopy impacts in the San Fernando Valley via a sidewalk repair access request.

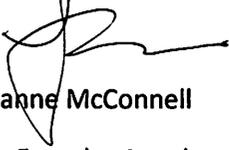
In 2019, An elderly woman in a Valley neighborhood made an access request. The city came out and looked at the sidewalk on Sunnyslope Avenue in Sherman Oaks and made a request to remove 18 liquid amber trees on her side of the street. A subsequent inspection of the sidewalk by CFAC and the neighborhood council showed that not all the sidewalks was raising and not all the trees were diseased. Prior to removing the trees, UFD sent a crew out to trim the trees in August sending the trees in decline. Ultimately 11 trees were removed. The replacement trees were planted poorly, and the neighbors complain of lack of shade and increased air conditioning bills.

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Angelenos for Trees recommends that Ordinance LAMC 62.104.1 not be approved by the city because of the codification of outdated and unsustainable street tree and sidewalk conflict policies. Further, we believe that the City Forest Officer is in a better position to coordinate a policy that reflects best practices for street tree removal and replacement for the Sidewalk Repair Program.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Jeanne McConnell', with a long horizontal flourish extending to the right.

Jeanne McConnell

Co-Founder Angelenos For Trees

Exhibit A

BOE Provisions

Standard Plan for a curb-extension AKA bulb-out.

[s-484-0.pdf \(lacity.org\)](#)

Standard plans ie pre-approved by the city and not in need of work drawings to use.

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