



September 11, 2017

VIA EMAIL ONLY

Shilpa Gupta
Environmental Supervisor I
Bureau of Engineering, Environmental Management Group
City of Los Angeles, Department of Public Works
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RE: Community Forest Advisory Committee Comments on Sidewalk Repair Program Initial Study

Dear Ms. Gupta:

This letter serves as the City of Los Angeles Community Forest Advisory Committee (CFAC) comments on the Sidewalk Repair Program's (Program) Initial Study. Although some of the comments in this letter identify issues that should be addressed in the Program's Environmental Impact Report (EIR), others represent general comments on the Program that CFAC recommends be implemented by the City.

I. About CFAC

CFAC is an appointed committee that works with the City of Los Angeles (City) to promote and improve the City's urban forest. Members of CFAC are community representatives from each City Council District nominated by City Council members and appointed by the Mayor, and one member representing the Mayor's Office. CFAC's mission is to achieve "[a] healthy, safe, and enduring Los Angeles community forest ecosystem for the enjoyment and well-being of all."

II. Program's Impacts on Street Trees and Associated Environmental Impacts

The Program poses a number of implications for Los Angeles' natural ecosystem. The implications are primarily for the City's street trees, which are an important component of the City's infrastructure. Los Angeles' urban forest is a great asset to the City and its residents, but is sadly dwindling due to a number of factors, including the recent drought, pest impacts, and development. Los Angeles' urban forest and its canopy offer a number of significant benefits to

residents, including improving the health of residents, combating the effects of climate change, reducing the effects of air pollution, and reducing reliance on energy for cooling. Some of the most polluted and canopy-deficient areas in Los Angeles are in disadvantaged communities and there is a significant social equity component to this issue that should not be overlooked. It is imperative that the City of Los Angeles implement measures to preserve, sustain, and grow its urban forest. To that end, this objective should be an inherent component of the Program and specifically contemplated in the EIR.

III. CFAC's Comments to the Program's Initial Study

Given the impact the Program has on Los Angeles' urban forest, CFAC submits the following ten recommendations, not prioritized in any order, as comments to the Program's Initial Study:

(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 Program's overall process. However, the budget for the UFD has not been significantly increased as a result of the Program. The Program is using an existing resource and straining its ability to sufficiently meet the needs of Program and its essential function to the City. Consequently, the UFD is unable to adequately address other issues and needs of Angelenos outside the Program. We recommend that the City increase the budget for the UFD to enable the UFD to support the Program.

(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 quantified. In order for the number of tree removals to be quantified, 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) Cease Removing Healthy Street Trees Until Completion of the EIR.

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. Another purpose of CEQA is to: “[p]revent or minimize damage to the environment through development of project alternatives, mitigation

measures, and mitigation monitoring.” 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 225 removals to date) --- we are concerned that the Program’s hasty implementation will create environmental impacts that could have been avoided and may not be readily mitigated. CFAC recommends that the environmental impacts of the Program be first fully assessed and the EIR completed before removing any additional healthy trees.

(4) Increase Tree Replacement Ratio.

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 a more appropriate mitigation measure to the removal of mature trees. Further, the 4:1 replacement ratio will more likely result in no net loss of the City’s canopy. Last, CFAC recommends that the Program implement a notification process regarding the replacement trees where the City will notify the property owner, when feasible, and/or resident that a replacement tree will be planted in the parkway also City agrees to maintain the tree as part of its infrastructure indefinitely.

(5) Implement 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 in residential neighborhoods; and (iii) there must be increased species diversity in trees used as replacement trees under the Program. With respect to the latter, we further recommend updating UFD’s approved tree list to remove medium to high water use trees and including low water use trees appropriate for the warming Los Angeles climate.

(6) Improve and Increase Transparency.

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) Address Effects on Wildlife and their Habitats.

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 to minimize or prevent such impacts.

(8) 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, BOE's outreach presentation does not address the effect the Program will have on street trees and its associated environmental impacts. The potential impact of the removal of street trees for the Program must be included in the BOE's presentation.

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 outreach and educational 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.

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

The list of environmental issues may expand as scientific knowledge regarding environmental issues develops. To that end, we recommend that periodic assessments 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.

Although the City is committing to watering Program 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 this period. This is especially concerning given that best management practices consider the establishment period for a tree to be 5 years. In addition, the Program does not 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. 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, which should also include an enforcement plan.

IV. Concluding Remarks

CFAC supports the Program and its objective to create safe sidewalks for all Angelenos. We acknowledge the need to repair our distressed sidewalks and share in the noble goal of creating access for all persons. Our City faces many environmental issues that may impact the health and well-being of its citizens. The Program has the potential impact to exacerbate these issues if it does not implement a fully developed plan. CFAC believes that a long-term sustainability plan for the Program and our street trees should first be devised. This Program has the potential to transform Los Angeles for generations to come, and it should be done properly with a well-considered and fully developed process.

Thank you for considering CFAC's comments and allowing us the opportunity to engage in the dialogue on this important project.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Allen". The signature is fluid and cursive, with the first name "Ryan" and the last name "Allen" clearly distinguishable.

Ryan Allen
Chair, Community Forest Advisory Committee

CC: Fernando Campos, Executive Officer, City of Los Angeles Board of Public Works

Jennifer Pope McDowell, Infrastructure Policy Analysis, Office of Los Angeles Mayor Eric Garcetti