

# BOLINAS COMMUNITY PUBLIC UTILITY DISTRICT

BCPUD

BOX 390 270 ELM ROAD BOLINAS CALIFORNIA 94924

415 868 1224



## MEMORANDUM

TO: Board of Directors

FROM: Jennifer Blackman *JNB*

RE: Update on Proposed Projects to Remove Cypress and/or Eucalyptus Trees and/or Limbs of Such Trees on BCPUD Properties per Urban Forestry Associates' Tree Failure Analysis and Risk Assessment Report; Proposed Project to Remove Cypress Trees Adjacent to Elm Road near the intersection with Jute Road.

DATE: October 17, 2023

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At its regular meeting on September 20, 2023, the Board received a staff memorandum concerning potential projects to remove cypress and/or eucalyptus trees and/or limbs of such trees on BCPUD properties per the recommendations set forth in Urban Forestry Associates' ("UFA") Tree Failure Analysis and Risk Assessment Report. This memorandum updates the Board on the status of these projects. In addition, for the reasons stated below, staff recommends the Board approve a project to remove the cypress trees on the BCPUD's property at 270 Elm Road which are adjacent to Elm Road near the intersection with Jute Road.

*Update: Lower Mesa/Olema-Bolinas Road Grove:*

On September 25, 2023, staff met on-site with Bolinas Fire Chief George Krakauer, BCPUD Chief Operator Stew Oakander, arborist Ray Moritz and PG&E's Vegetation Program Manager, Andrew Ludwig, regarding the trees along the south side of Mesa Road that were identified in UFA's report as presenting potential risks to the public and that are within close proximity to PG&E's power lines. Mr. Ludwig stated that if limbs or specific trees identified in UFA's report threaten power lines, PG&E is responsible for them and will pay for the recommended work, which must be performed by a PG&E approved contractor. Mr. Ludwig explained that PG&E will chip and dispose of brush from these trees, but will leave large logs from the trees on-site. Mr. Ludwig confirmed that PG&E plans to remove 7 – 8 trees per year adjacent to Mesa Road and currently is waiting for the coastal permits to do so; the trees along Mesa Road marked with two red dots (these are all noted in UFA's report) are slated for removal first.

We discussed each of the trees identified in UFA's report along the south side of Mesa Road that are closest to the power lines -- 57, 56, 58 (2 red dots), 59 (2 red dots), 60 (2 red dots), 69 (2 red dots), 2203, 2204, 64, 67 (2 red dots), 70, 71, 74 (2 red dots), 75, 77, 91 and 68 (2 red dots) on the attached map. Mr. Ludwig evaluated the proximity of each tree to the power lines and said that PG&E is responsible for all of these trees and plans the full removal of each, with the exception of 2203 (it is short and does not threatened power lines) and 91 (it is well back from the road). Staff subsequently asked Mr. Ludwig to assess the following additional trees and determine whether they are PG&E's responsibility due to proximity/threat to power lines: 2201, 16, 82 and 47.

*Proposed Project to Remove Cypress Trees at 270 Elm Road Adjacent to Elm/Jute Roads:*

With regard to the BCPUD's 270 Elm Road property, UFA assessed the Monterey Cypress trees remaining from the original boundary planting, noting past failures and the fact that the trees have "far outlived their utility life expectancy". UFA referenced structural defects of the entire windrow and recommends as follows: "Directionally fell the entire windrow into the field. Remove and chip branches for fire prevention. If border planting is replaced consult a consulting arborist about species selection and spacing."

Staff requested an estimate for this work from Pacific Slope Tree Cooperative ("PSTC") and an estimate of \$12,000 was provided (see attachment). This estimate was provided on the understanding that PSTC will directionally fell the trees into the lot adjacent to the BCPUD office building and will then remove and chip branches for fire prevention. If funds permit, PSTC will cut the trees into lengths and stack them on the perimeter of the property. If funds do not so permit, BCPUD staff will do this work.

Monterey cypress trees are not "protected" or "heritage" trees as those terms are defined by the County of Marin. The trees at issue have been identified by UFA as posing a potential public health and safety hazard due to their risk of failure/structural defects; in addition, the general health of these trees is poor to their age. Per the Marin County Tree Removal Permit Fact Sheet (attached), even if these were protected or heritage trees, it appears no permits would be required for their removal outside of the coastal zone. However, the fact sheet notes that a coastal permit *may* be required for the removal of trees and vegetation in the coastal zone. Accordingly, if the Board approves this project, staff will consult with the Marin County Planning Department to determine whether a coastal permit is required for any reason for the removal of these hazardous cypress trees.

# BPUD Eucalyptus Assessment Map #2





**Pacific Slope Tree Cooperative  
Inc.**

PO Box 400  
Point Reyes, CA  
94956  
(415) 608-6025  
chuckoakander@mac.com

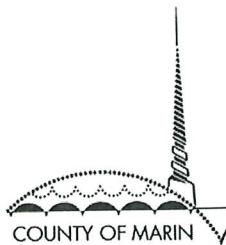
ESTIMATE  
EST0028

DATE  
Oct 13, 2023

TOTAL  
USD \$12,000.00

TO  
**BCPUD**  
bwood@bcpud.org

DESCRIPTION	RATE	QTY	AMOUNT
Removal of the row of cypress trees @ Elm and Jute (BCPUD Office)	\$12,000.00	1	\$12,000.00
TOTAL			USD \$12,000.00



### TREE REMOVAL PERMIT FACT SHEET

A Tree Removal Permit is required for the removal of trees in the following instances:

- More than two (2) "Protected Trees" are being removed from a developed lot in a 12-month period;
- The tree qualifies as a "Heritage Tree";
- The tree is a "Protected Tree" or "Heritage Tree" and is located in a Stream Conservation Area or a Wetland Conservation Area;
- Any removal of "Protected Trees" on a vacant lot; and,
- The trees proposed for removal do not qualify for an exemption under Section 22.62.040 of the Marin County Code (see below).

The Native Tree Protection and Preservation ordinance does not apply to properties located in the coastal zone, and a Coastal Permit may instead be required for the removal of trees and vegetation.

#### *Exemptions*

The removal of any protected or heritage tree on a lot is exempt from Tree Removal Permit requirements if it meets at least one of the following criteria for removal:

- A. The general health of the tree is so poor due to disease, damage, or age that efforts to ensure its long-term health and survival are unlikely to be successful;
- B. The tree is infected by a pathogen or attacked by insects that threaten surrounding trees as determined by an arborist report or other qualified professional;
- C. The tree is a potential public health and safety hazard due to the risk of its falling and its structural instability cannot be remedied;
- D. The tree is a public nuisance by causing damage to improvements, such as building foundations, retaining walls, roadways/driveways, patios, sidewalks and decks, or interfering with the operation, repair, or maintenance of public utilities;
- E. The tree has been identified by a Fire Inspector as a fire hazard;
- F. The tree was planted for a commercial tree enterprise, such as Christmas tree farms or orchards;
- G. Prohibiting the removal of the tree will conflict with CC&R's which existed at the time this Chapter was adopted;
- H. The tree is located on land which is zoned for agriculture (A, ARP, APZ, C-ARP or C-APZ) and that is being used for commercial agricultural purposes. (This criterion is provided to

recognize the agricultural property owner's need to manage these large properties and continue their efforts to be good stewards of the land.);

- I. The tree removal is by a public agency to provide for the routine management and maintenance of public land or to construct a fuel break;
- J. The tree removal is on a developed lot and: 1) does not exceed two protected trees within a one-year timeframe; 2) does not entail the removal of any heritage trees; and 3) does not entail the removal of any protected or heritage trees within a Stream Conservation Area or a Wetland Conservation Area.

It is recommended that a property owner obtain a report from a licensed arborist or verify the status of the tree with photographs to document the applicability of the criteria listed above to a tree which is considered for removal.

#### *Permit Process*

Provided a Tree Removal Permit application is categorically exempt from the California Environmental Quality Act, State law requires that a decision be issued within three months of the time a **complete** application is submitted. The Planning Division generally processes complete Tree Removal Permit applications in less than three months. Please refer to the "Planning Application Submittal Checklist" for more detailed information regarding the submittal requirements for a Tree Removal Permit.

An application for a Tree Removal Permit must include a landscaping/vegetation management plan that identifies the trees proposed for removal, and proposed replacement trees. As a standard practice to maintain consistency with the Marin Countywide Plan, the Landscaping Objectives identified in Section 22.26.040 of the Marin County Development Code, the Single Family Residential Design Guidelines, and the vegetation management requirements of the Marin County Fire Department or local Fire Protection District, the County may impose requirements including but not limited to the following:

- Replacement of trees at a ratio of three new, appropriately sized and installed trees for each tree designated to be removed;
- For large properties, a management plan which designates areas of the property for preservation of stands of trees or saplings and replacement plantings as required;
- Removal of invasive exotic species.

In the event that tree planting on the site is not feasible or appropriate, the Director may require in lieu of planting on the specific property, the payment of money in the amount of \$500.00 per replacement tree to be deposited into the Tree Preservation Fund managed by the Marin County Parks and Open Space Department for planting, maintenance, and management of trees and other vegetation.

*Protected Trees and Heritage Trees*

The table below defines tree types and sizes that qualify as Protected and Heritage Trees.

<b>Common Name</b>	<b>Botanical Name</b>	<b>Protected Size</b> <i>Diameter at Breast Height</i>	<b>Heritage Size</b> <i>Diameter at Breast Height</i>
Arroyo willow	<i>S. lasiolepis</i>	6 inches	18 inches
Big-leaf maple	<i>Acer macrophyllum</i>	10 inches	30 inches
Bishop pine	<i>Pinus muricata</i>	10 inches	30 inches
Blue oak	<i>Q. douglasii</i>	6 inches	18 inches
Box elder	<i>A. negundo var. californicum</i>	10 inches	30 inches
California bay	<i>Umbellularia californica</i>	10 inches	30 inches
California black oak	<i>Q. kelloggii</i>	6 inches	18 inches
California buckeye	<i>Aesculus californica</i>	10 inches	30 inches
California nutmeg	<i>Torreya californica</i>	10 inches	30 inches
Canyon live oak	<i>Q. chrysolepis</i>	6 inches	18 inches
Chaparral oak	<i>Q. wislizeni</i>	6 inches	18 inches
Coast live oak	<i>Quercus agrifolia</i>	6 inches	18 inches
Coast redwood	<i>Sequoia sempervirens</i>	10 inches	30 inches
Douglas-fir	<i>Pseudotsuga menziesii</i>	10 inches	30 inches
Giant Chinquapin	<i>Castanopsis chrysophylla</i>	10 inches	30 inches
Hawthorn	<i>Crataegus douglasii</i>	10 inches	30 inches
Mountain-mahogany	<i>Cercocarpus betuloides</i>	10 inches	30 inches
Narrow leaved willow	<i>Salix exigua</i>	6 inches	18 inches
Shreve's Oak	<i>Q. parvula var. shrevei</i>	6 inches	18 inches
Oregon ash	<i>Fraxinus latifolia</i>	10 inches	30 inches
Oregon oak	<i>Q. garryana</i>	6 inches	18 inches
Pacific madrone	<i>Arbutus menziesii</i>	6 inches	18 inches
Pacific yew	<i>Taxus brevifolia</i>	10 inches	30 inches
Red alder	<i>A. rubra</i>	10 inches	30 inches
Red elderberry	<i>Sambucus callicarpa</i>	10 inches	30 inches
Red willow	<i>S. laevigata</i>	6 inches	18 inches
Sargent cypress	<i>Cupressus sargentii</i>	6 inches	18 inches
Scouler's willow	<i>S. scouleriana</i>	6 inches	18 inches
Service-berry	<i>Amelanchier tahensis</i>	10 inches	30 inches
Shining willow	<i>S. lucida ssp. lasiandra</i>	6 inches	18 inches
Silk tassel	<i>Garrya elliptica</i>	10 inches	30 inches
Sitka willow	<i>S sitchensis</i>	6 inches	18 inches
Tanbark oak	<i>Lithocarpus densiflorus</i>	10 inches	30 inches
Valley oak	<i>Q. lobata</i>	6 inches	18 inches
Wax myrtle	<i>Myrica californica</i>	10 inches	30 inches
White alder	<i>Alnus rhombifolia</i>	10 inches	30 inches