August 26, 2019

The Honorable Kirk H. Nakamura
Presiding Judge of the Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

Re: City of La Palma Response to 2018-2019 Orange County Grand Jury Report “Orange County’s Urban Forest”

Dear Judge Nakamura:

The City is in receipt of the 2018-2019 Orange County Grand Jury Report “Orange County’s Urban Forest,” which was made public on June 20, 2019. The City of La Palma is required by Penal Code §933 and §933.05 to provide responses to Findings F-1, F-2, F-3, F-4, F-5, F-6, F-7, and F-10 and Recommendations R-1, R-2, and R-3.

**Finding F-1:**
Finding F-1 states, “Cities identified in F10 have dedicated a portion of their general fund budget to an urban forest program; however, the allocated percentage varies widely among cities (See Appendix B).”

**City of La Palma Response to Finding F-1:**
The City of La Palma agrees with this finding from the Orange County Grand Jury. La Palma provides an annual budget for the maintenance of the City’s urban forest. Given the geographic size of the City and its tree inventory, the annual budget for trees and their maintenance reflects this.

**Finding F-2:**
Finding F-2 states, “In order to efficiently manage financial and staff resources, Orange County cities identified in F10 utilize contract services for their tree maintenance and services. Some cities also maintain a small staff to supplement contract services.”

**City of La Palma Response to Finding F-2:**
The City of La Palma agrees with this finding from the Orange County Grand Jury. The City has contracted with West Coast Arborists (WCA) for many years to maintain its tree inventory to current industry standards per the American National Standards Institute – ANSI A300 and ANSI Z133. These standards represent the industry consensus on performing tree care operations and safety standards. Additionally City maintenance staff performs tree trimming and planting as necessary. All maintenance and inspections are documented and archived.

**Finding F-3:**
Finding F-3 states, “City councils for the cities identified in F10 are supportive of their urban forest programs and budget requests made by their respective city managers and public works departments.”
City of La Palma Response to Finding F-3:
The City of La Palma agrees with this finding from the Orange County Grand Jury. The La Palma City Council continues to be supportive of its urban forest and provides funding as requested during the budget process to maintain and enhance it.

Finding F-4:
Finding F-4 states “Cities interviewed for this report reported minimal financial liabilities from tripping hazards, root intrusions, and falling branches and trees.”

City of La Palma Response to Finding F-4:
The City of La Palma agrees with this finding from the Orange County Grand Jury. During a recent risk management evaluation, the California Joint Powers Insurance Agency (CJPIA) recommended the City develop a tree inspection program to help reduce La Palma’s liability associated with public trees. In consultation with CJPIA, WCA, and research of other municipal tree policies, staff developed a more comprehensive City tree policy which the City Council adopted on August 20, 2019. Additionally City maintenance staff are quick to respond to potential hazards such as lifted concrete which may cause pedestrian tripping accidents; and staff quickly removes fallen branches and trees as not to cause any additional damage or safety concerns.

Finding F-5:
Finding F-5 states “Cities identified in F10 have not been successful in ensuring that residents are aware of their city’s urban forest program.”

City of La Palma Response to Finding F-5:
The City of La Palma wholly disagrees with this finding from the Orange County Grand Jury. The City Council appointed Community Activities and Beautification Committee serves as the City’s Tree Board. For over thirty years, this Committee has hosted an annual Arbor Day Celebration for the community to bring attention to and highlight the City’s commitment to its urban forest. Over 1,000 trees have been planted during this time. Additionally for many of these years, the City has been recognized by the National Arbor Day Foundation as a Tree City USA for its commitment to trees and the natural environment. These efforts and the benefits of maintaining its urban forest are well advertised to our residents both in print and online.

Finding F-6:
Finding F-6 states “Environmental and economic benefits provided by urban forests have not been fully realized in Orange County cities identified in F10 and the unincorporated areas of Orange County.”

City of La Palma Response to Finding F-6:
The City of La Palma partially disagrees with this finding from the Orange County Grand Jury. This finding is not tangible as there are too many variables in comparing environmental and economic benefits with other agencies. The City continually invests in its urban forest and has plans to move forward with planting of new street and median trees as part of a citywide street median improvement project later this year or in early 2020. As part of the regular tree inventory conducted by WCA, the most recent valuation, as of June 2019, indicates the City’s tree value is in excess of $3.9 million.

Finding F-7:
Finding F-7 states “Cities identified in F10 do not coordinate their urban forest programs with each other.”
The Honorable Kirk H. Nakamura  
August 26, 2019
Page | 3

**City of La Palma Response to Finding F-7:**  
The City of La Palma agrees with this finding from the Orange County Grand Jury. Although La Palma staff provide mutual cooperation to other local municipalities and WCA who also contract with many Orange County agencies, currently there is not a coordinated effort to promote urban forestry.

**Finding F-10:**  
Finding F-10 states “The following cities have significantly fewer public street trees per resident than other Orange County cities (Appendix B).

- La Palma
- Laguna Beach
- Laguna Niguel
- Laguna Woods
- Santa Ana
- Stanton
- Westminster
- Yorba Linda

**City of La Palma Response to Finding F-10:**  
The City of La Palma partially disagrees with this finding from the Orange County Grand Jury. La Palma’s residential neighborhoods were designed and built without parkways which would allow planting of street trees. Street trees are only planted on the City’s arterial and collector streets, which would account for fewer public street trees per resident than other Orange County cities. However the City leases and maintains the Southern California Edison Right-of-Way (ROW) which runs the entire geographic width of La Palma. Although not considered street trees, hundreds of trees are planted in the ROW adding to the City’s urban forest.

**Recommendation R1:**  
Recommendation R1 states, “By September 30, 2019, each city listed in F10 and the City of Mission Viejo should commit to continue regularly scheduled tree inspection and maintenance cycles to enhance public safety and to minimize future liabilities due to tree-related claims (F4).

**City of La Palma Response to Recommendation R1:**  
The recommendation has been implemented. In coordination with the City’s contracted tree maintenance services, West Coast Arborists, the tree inventory is inspected every three to five years in conjunction with the terms of the agreement for their overall health and condition. On an as needed basis, individual trees are inspected based on conditions including declining health, structural concerns, and/or possible disease. The inspections help identify concerns or conditions and prioritizes what needs to be addressed. The City’s newly adopted Tree Policy specifically outlines the process and what conditions to look for. The City always puts public safety first which ultimately minimizes injuries and tree related claims.

**Recommendation R2:**  
Recommendation R2 states, “By September 30, 2019, Orange County cities listed in F10 should implement a program to coordinate with non-profit and volunteer organizations to improve residents’ awareness of the city’s urban forest benefits and promote active involvement with ongoing programs (F5).
City of La Palma Response to Recommendation R2:
The recommendation will not be implemented because it is not warranted nor is it reasonable. Serving as the City’s Tree Board, the Community Activities & Beautification Committee (CAB) is already tasked with these efforts. They host the City’s annual Arbor Day Celebration and partners with the National Arbor Day Foundation, meeting all requirements for the City to be designated as a Tree City USA. Arbor Day includes interactive opportunities including coloring/art contests, environmental and science interactive booths, seed plantings to take home, and planting of trees. CAB partners and encourages participation from local non-profit organizations such as Boys and Girls Scouts, local service clubs, and local schools. Environmental learning opportunities are also incorporated into other City recreation programs such as day camps, teens, and classes. In addition to programs, environmental education pieces are included in the City’s quarterly newsletter, on its website, and through its social media outlets.

Recommendation R3:
Recommendation R3 states, “By September 30, 2019, Orange Counties cities listed in F10 should develop and implement policies and practices that will benefit their urban forests and explore ways to improve their street tree count (F1, F6, F10).

City of La Palma Response to Recommendation R3:
The recommendation has been implemented as it relates to policies. The remainder of the recommendation will not be implemented because it is not warranted nor feasible. The La Palma City Council adopted a Tree Policy at their August 20, 2019, meeting which identifies policies and procedures for their urban forest. During the upcoming arterial street median project, numerous new trees will be planted both within the medians and in the street tree wells. La Palma has limited opportunity to add additional street trees, but every effort is made to do so when possible. Recently there were two new housing projects which were required to add street trees as a condition of approval. As noted earlier, La Palma is committed to its urban forest which will provide benefit for generations to come.

The City would like to thank the Orange County Grand Jury for its efforts in researching these issues and for giving the City an opportunity to respond to its findings and recommendations. Should you have any questions regarding the City’s response, please contact City Manager Laurie Murray at (714) 690-3338.

Sincerely,

[Signature]

Marshall Goodman
Mayor

Attachment: City of La Palma Tree Policy
cc: City Council
    City Manager
    City Attorney
    Orange County Grand Jury
City of La Palma
Tree Policy
Adopted August 2019
# Table of Contents

- Purpose ........................................................................................................ 3
- Definitions ....................................................................................................... 3
- Tree Inspections / Tree Inventory ................................................................. 5
- Tree Maintenance Guidelines ......................................................................... 6
  - Restricted Acts to be Avoided without WCA Approval .......................... 6
  - Standards For Pruning Public Trees ......................................................... 7
  - Pruning Methods for Trees ........................................................................ 7
  - Wildlife Avoidance / Migratory Bird Treaty Act Compliance ................. 8
  - Plant Health Care Plan And Pest Management ...................................... 8
  - Fertilizing ................................................................................................... 8
  - Watering Schedule .................................................................................... 8
  - Insect And Disease Control ...................................................................... 11
  - Fruit Control .............................................................................................. 10
- Tree Removal .................................................................................................. 10
  - Property Owner Request For Tree Removal(s) ...................................... 13
- Replacement and Planting of Trees ............................................................. 15
  - Replacement Tree Criteria ....................................................................... 15
  - Street Tree Replacements ........................................................................ 16
  - Tree Planting Specifications ..................................................................... 17
  - Planting Stock and Materials .................................................................. 17
  - Planting Site Preparation ......................................................................... 18
  - Planting In Difficult Soil Conditions ....................................................... 19
- Southern California Edison Right-of-Way Tree Care ................................. 19
- References ...................................................................................................... 20
- Attachment A: Street Tree Palette ............................................................... 21
- Attachment B: Street Tree Palette Images .................................................... 23
I. PURPOSE

The purpose of this Tree Policy is to establish guidelines and procedures for the orderly protection, maintenance, planting / replacement, and public safety of trees on all public property in the City of La Palma. This Tree Policy defines and illustrates the policies and procedures that shall be utilized by City staff in the management and care of all trees located on City property or within the City's public right-of-way and the Southern California Edison (SCE) right-of-way. These requirements are to be used to reduce La Palma’s exposure to liability associated with trees. Additionally, this policy establishes guidelines and procedures for the orderly protection of trees, identifies new tree planting / replacement procedures, and establishes a citizen inquiries procedure for trees located on City property or within the City's public right-of-way.

II. DEFINITIONS

For the purposes of this policy, the following definitions shall apply:

A. **Arborist / WCA Representative**: a person who has demonstrated knowledge and competency through obtainment of the current International Society of Arboriculture (ISA) arborist certification. In La Palma, West Coast Arborist (WCA) representative is the designated person. ISA Municipal Specialist is a desirable credential requiring qualified individuals have a minimum of three years full time municipal related experience. These credential holders assist La Palma in the operations of managing trees throughout the City. ISA Utility Specialist is another highly desirable certification requiring individuals to have a minimum of three years full time experience managing trees adjacent to utilities. This credential is important in the managing of municipal trees near power lines or other utilities. The ISA Board Certified Master Arborists is the highest level of certification offered by the International Society of Arboriculture and could additionally be considered useful in assisting municipalities with all operational facets of managing trees.

B. **ANSI A300 and ANSI Z133**: ANSI (American National Standards Institute) A300 standards represent the industry consensus on performing tree care operations. The Z133 standards are the accepted industry safety standards for tree care work, and are essential to understand and implement in the operation of a safe tree care business.

C. **Canopy / Crown**: the part of the tree composed of leaves and branches measured from the lowest branch on the trunk to the top of the tree.

D. **Compaction**: compression of the soil structure or texture by any means that creates an upper layer that is impermeable.

E. **Diameter / DSH**: diameter of a tree defined as the Diameter at the Standard Height, measured at 4.5 ft. above the base of the tree.
F. Director: the Director of Community Services or the Maintenance Supervisor as assigned by the City of La Palma or the City Manager's designee, unless otherwise specified in the policy.

G. Disturbance: all of the various activities from construction or development that may damage trees.

H. Dripline area: the area directly located under the outer circumference of the tree branches. When the tree canopy gets wet, any excess is shed to the ground along this dripline.

I. Excessive pruning: removing in excess of 25 percent or greater of the functioning leaves and stems in a single pruning. Excessive pruning may include the cutting of any root two inches or greater in diameter. Exceptions are when clearance from overhead utilities or public improvements is required, or to abate a hazardous condition or a public nuisance.

J. Hazardous condition: a hazardous tree condition is one in which a tree part has an observable structural issue that is in imminent likelihood of failure and a high likelihood of striking a foreseeable target. These hazards can be discovered through both routine pruning work or through other forms of inspection. La Palma shall correct hazards related to targets that could be impacted by failure in a timely manner. If provisions for hazard mitigation cannot occur immediately, public protection measures should be taken, such as providing warning or notice.

K. Injury: a wound resulting from any activity, including but not limited to excessive pruning, cutting, trenching, excavating, altering the grade, paving or compaction. Injury shall include bruising, scarring, tearing or breaking of roots, bark, trunk, branches or foliage, herbicide or poisoning, or any other action leading to the death or permanent damage to tree health.

L. Pest control applicator: a person licensed by the California Department of Pesticide Regulation who performs the application and treatment of pesticides.

M. Pest control advisor: a person licensed by the California Department of Pesticide Regulation capable of writing legal prescriptions for specific pesticides.

N. Public nuisance: an act, condition, or a thing that is offensive to the community or that violates the rights of persons or the community, as determined by the La Palma tree protection ordinance and/or other applicable ordinances.

O. Public tree: any tree growing within public property, easements, or the street right-of-way outside of private property.
P. **Removal**: complete tree removal, such as cutting to the ground or extraction of the tree.

Q. **Replacement**: removal of an existing tree due to tree health, condition, public infrastructure damage (e.g. sidewalk or wall), or public safety. A replacement tree shall be selected from La Palma’s designated tree list.

R. **Unintended object**: includes people, vehicles, structures or anything subject to damage by a tree.

S. **Topping**: the practice of cutting back large-diameter branches between nodes or truncating the main stem.

T. **Trenching**: any excavation to provide irrigation, install foundations, utility lines, services, pipe, drainage or other property improvements below grade.

### III. TREE INSPECTIONS / TREE INVENTORY

Inspection of La Palma trees identifies visually obvious problems, their relative risk, and provides risk reduction mitigation recommendations. The inspection interval is conducted on four year cycles as part of a routine trimming program. Additionally, tree inspections between trim cycles are identified by La Palma Maintenance staff or the WCA Representative of individual trees that have been identified for shorter inspection intervals. These tree inspections can include major arterials, or other highly traveled locations and/or parks. Inspection and work history data is tracked and monitored within the WCA online database, Arbor Access, which includes a documented work history and data for each tree including, estimated value, work history, tree specifications, and location. Work history includes all publicly maintained trees, as determined by the Director. Trees with defects are noted in Arbor Access (La Palma’s tree inventory database) and assigned for inspection based on the degree of risk associated with each tree’s particular defects as deemed necessary by the Director or WCA.

When inspecting trees, current industry standards (ANSI A300) are required, with consistent and uniform procedures implemented to inspect all trees to ensure that inspections are done in a consistent, professional, and regular manner. All inspections are documented and archived in Arbor Access.

Inspected items include, but are not limited to:

A. **Lean/root problems**: for example, leaning trees with roots heaving out of the ground.

B. **Co-dominant or multiple trunks**: competing stems that grow bark between a tight crotch union can be weakened areas prone to failure.
C. **Trunk cavities, cankers, mushrooms and decay:** these are indicators of potential internal decay of a tree and, if discovered, may require further investigation and mitigation.

D. **Cracks in trunks and branches:** these can be indicators of future failures and, if discovered, may require further investigation and mitigation.

E. **Weakly attached scaffold limbs and branches:** a branch that developed as a reactionary shoot can be predisposed to failure and, if discovered, may require further investigation and mitigation.

F. **Hanging or broken branches (hangers):** branches that are detached from where they were grown and are hanging and could fall, impacting targets below. Broken branch stubs are pruned off properly unless preserved for wildlife habitat reasons.

G. **Dead branches (deadwood):** branches within a canopy of a tree that no longer produce foliage and have begun to lose bark.

H. **Pests and other diseases:** identified pests that can cause tree failures like boring, leaf chewing and leaf sucking insects or pathogenic fungus.

While most tree hazard inspections in La Palma can be conducted from the ground, there are times when an aerial inspection is necessary. These inspections are completed as needed. The goals of the tree inspection / tree inventory policy include:

1. Documenting tree structure and condition and recording dates.
2. Identifying vacant sites suitable for trees to be planted, irrigation permitting.
3. Maintaining trees proactively, instead of reactively as the annual budget allows.
4. Identifying the dollar value of each tree.
5. Documenting work history records.
6. Scheduling tree maintenance work.
7. Improving tree structure and health through scheduled tree maintenance and watering schedule.
9. Demonstrating due diligence via work history.
10. Identifying trees that can be salvaged or corrected with proper pruning and maintenance practices.

IV. TREE MAINTENANCE GUIDELINES

Tree Maintenance Guidelines establish industry principles of care (ANSI Z133) and maintenance for La Palma’s public trees, to include pruning, planting, watering, soil and nutrient requirements, insect, disease, and fruit control.

A. Restricted Acts to be Avoided without WCA Approval

Restricted maintenance practices for public trees include:

1. Excessive pruning, except for clearance pruning of utility lines, traffic or abating a public nuisance.

2. Topping.

3. Other action that could lead to the death of a tree or could permanently damage its health, including but not limited to cutting, poisoning, over-watering, unauthorized relocation or transportation of a tree; trenching, excavating, altering the grade, or paving within the dripline area of a tree.

B. Standards for Pruning Public Trees

All work on public trees shall be in accordance with the most current edition of the following industry standards: ANSI A300 and ANSI Z133.

C. Pruning Methods for Trees

There are seven types of pruning methods that may be appropriate for La Palma trees. Including:

1. **Structural pruning**: a type of pruning for young trees that establishes a strong central leader and develops subordinate branches. Structural pruning helps to alleviate future failures.

2. **Crown cleaning**: the selective removal of dead, diseased, detached, and broken branches. No live foliage is to be pruned during crown cleaning, and this is the preferred pruning type for mature trees.

3. **Crown thinning**: the selective removal of small live branches to reduce crown density. No more than 25% of live foliage should be removed in a growing season.
4. **Crown raising**: the selective removal of branches in order to provide vertical clearance.

5. **Crown restoration**: the selective removal of branches, sprouts and stubs from trees that have been topped.

6. **Crown reduction**: the selective removal of branches and stems to decrease the height and/or spread of a tree.

7. **Utility pruning**: the selective removal of branches and stems to reduce growth away from utility lines.

Climbing and pruning practices shall not harm the tree except for the pruning cuts.

D. **Wildlife Avoidance / Migratory Bird Treaty Act Compliance**

There are many federal and state laws and regulations pertinent to wildlife and the tree care and landscape industry in California. Of particular note is the Migratory Bird Treaty Act. The City of La Palma, in conjunction with WCA, ensure workers are qualified with proper training on inspecting for birds and other wildlife during tree care operations.

E. **Plant Health Care Plan and Pest Management**

La Palma consistently monitors plant health with reports on how to improve health structure and appearance of plants and trees.

Integrated Pest Management (IPM) strategy is a method of controlling plant pests by combining biological, cultural, mechanical, physical and / or chemical management strategies.

F. **Fertilizing**

All fertilizers shall only be applied if specified by the arborist as part of a plant healthcare program. Fertilizing may be specified for trees that will be impacted by an upcoming disturbance, grade change, or a modified environment. Fertilizing in these instances may aid the tree to overcome the stress caused by disturbance. The arborist shall determine specifications for fertilizing trees on a case-by-case basis.

G. **Watering Schedule**

1. Newly installed trees, including drought tolerant species, are dependent upon supplemental irrigation until established, typically for two years. If a tree is native to areas of higher rainfall, then the tree will require supplemental water throughout its life cycle, unless the tree finds a subterranean water source. Periods of extreme
heat, wind or drought may require more or less water than recommended in these specifications.

2. During the establishment period, new trees shall be watered thoroughly as part of an establishment policy prescribed by an arborist. Local weather and environmental factors should be taken into consideration when considering a watering plan. If reclaimed water is to be used, verify that the species of trees to be irrigated has an elevated tolerance of salts.

3. Most mature public trees in La Palma are established in areas with formal watering systems. In areas without formal or automated watering systems, manual irrigation is delivered by the City's maintenance staff and is watered bi-weekly or as needed during the wet and dry seasons.

4. Trees planted in association with the construction of public improvements (medians, parkways, sidewalk tree wells, etc.) shall be irrigated by automated watering systems. The Director, in consultation with the arborist or landscape architect, shall determine the type of automatic irrigation system used. Trees planted in public areas where no irrigation system exists shall be hand watered until established. After that, a watering schedule determined by the arborist shall be in effect until deemed no longer necessary.

H. Insect and Disease Control

If action against pests is warranted, the City always considers treatment as part of an overall plant health care program. The pest source shall be identified and targeted with a specific and timely treatment. All prescriptions for pesticides are to be issued by a pest control advisor (PCA) per the Department of Pesticide Regulations. Additionally, applicators must be licensed or certified to apply. If it appears that insects or disease may lead to the death of a public tree, then it is the responsibility of the City to evaluate the condition according to the following guidelines and treat the problem in a timely fashion to prevent further decline of the tree.

1. For treatment of insects, the pest control advisor shall be consulted. Nontoxic materials shall be used whenever possible. All chemicals must conform to the California Department of Pesticide Regulations.

2. For disease and decay above that erodes the health or weakens the structure, further analysis by an arborist may be required to evaluate the tree stability.
3. Diseases below ground are often caused by poor landscape design surrounding old trees, which encourages harmful and often lethal ailments. The following conditions favor disease:

   a. Compacting of the soil within the tree’s dripline
   b. Removing soil from the tree root area
   c. Watering on or near the tree trunk area
   d. Planting incompatible plants within the tree’s dripline

Combined with poorly drained soil, these factors often activate normally dormant fungi to become opportunistic and infect the tree, which can lead to the decline and eventual death of the tree. This decline can be slow and may not be evident for many years.

When planning landscaping around a public tree, an evaluation of the tree and soil must be performed to determine if there is a disease present. If the tree is diseased and it is reasonable to expect that landscaping will contribute to decline, permanent damage or render it hazardous, it is the obligation of the City to take reasonable measures to reduce or eliminate the conditions that may cause the decline of the public tree.

I. Fruit Control

While many trees produce flowers or fruit, some trees can be considered a nuisance if the use area is not compatible with the debris generated by the tree. Treatments are considered as part of an overall tree care policy. Droppings may be a safety hazard if it is in the proximity of an ADA accessible ramp or other pedestrian area.

In such cases, control measures are prescribed by a pest control advisor and administered by the pest control applicator to ensure successful application of treatment materials.

V. TREE REMOVAL

Public trees are considered an important asset to the City of La Palma. As such, it is the policy of the City to preserve trees whenever possible. There are certain conditions in which a tree must be removed, such as when it is considered an emergency. This includes: trees identified as an imminent hazard and / or trees that exceed the threshold of risk. Other conditions require the review and approval of the Director or arborist.

A. Trees will be removed only when one or more of the following criteria are met:
1. The tree is in a state of decline due to disease or insect pest for which there is no likelihood of a cure.

2. The tree poses a safety risk that cannot be corrected or where an unreasonable safety risk would be created by the construction process or root pruning.

3. Work improvements required to be made around the tree will likely kill the tree or render it a hazardous tree.

4. Tree preservation is not cost effective compared to the tree's monetary value.

5. The tree poses a public nuisance because of its species, size, location, fruit and seed drop, limb breakage or other objectionable conditions.

6. The tree interferes with the growth and development of a more desirable tree.

7. The tree has been topped or otherwise heavily pruned.

8. Strong lean at the tree trunk.

9. Or as otherwise recommended by WCA or another qualified arborist.

B. If a public tree's root system has been found to be elevating the sidewalk to a degree greater than the City's policy where the tree's removal is not an option, the sidewalk repair will be made using an approved replacement or modification method which best corrects the sidewalk anomaly while minimizing harm to the tree.

C. A tree must be evaluated and determined to be hazardous before it can be removed for hazardous reasons.

The City of La Palma strives to mitigate or abate any known hazardous condition of a tree that may be of questionable structure or deemed as hazardous. Per the City's direction, the arborist shall be responsible for hazard assessment of public trees, with the following criteria:

1. If a tree possesses a structural defect that may cause the tree or part of the tree to fall, and the condition is determined to be imminent, the tree is considered hazardous. Mitigation pruning or removal will be considered to reduce the level of risk.
2. If the hazardous condition cannot be mitigated or reduced to a less than significant level, then the tree can be authorized by the City for removal to abate the condition.

D. Other factors contributing to the tree’s failure and subject to removal, include:

1. Structural defects in the tree, including branches, trunk and roots.
2. Potential unintended objects, including people, structures, or property use and occupancy.

Advanced assessment methods can include an evaluation of structural defects in employing the most current methods of internal decay inspection available; soil/slope and/or creek bank stability; individual species’ susceptibility to failure; pruning; history; decay weaknesses and any other compromising or pertinent factors considered. This is an option or may be considered for high value trees.

Evaluation of unintentional objects shall consider structures or activities under or around the tree (e.g., building, parking, pedestrian, recreational, utility lines, hardscape, etc.). Occupancy shall consider frequency of use, and whether the unintended object will be present when failure occurs.

Consideration shall be given to whether the unintended object can reasonably be removed or isolated to mitigate the hazard.

F. Reasons that are NOT Valid for Tree Removal:

a) Leaves getting into gutters or a nuisance to remove.

b) Messy fruit.

c) Roots getting into the sewer lines as a result of deteriorating infrastructure.

d) Hardscape damage if a feasible, economic solution exists to save the tree.

e) City tree is blocking solar panels. The City complies with existing solar access regulations in the State of California, including The Solar Rights Act (AB 3250) and The Solar Shade Act (AB 2321). The Solar Shade Act prohibits shading of solar collectors that result from tree growth occurring after a solar collector is installed. It states that no plant may be placed or allowed to grow such that it shades a collector more than 10% from 10 a.m. to 2 p.m. It does not apply to plants already in place or replacement of plants that die after the installation of the solar collectors.
G. Unauthorized Trimming and Removal

According to section 38-6 of the La Palma Municipal Code, it is unlawful for any person to damage, cut, carve, remove, or transplant any public tree. Procedures for addressing violations are outlined in section 38-8 of the La Palma Municipal Code.

VI. Property Owner Request for Tree Removal(s)
Periodically, property owners approach the City with requests to remove a public tree that is located within the public easement on their property. Approval of these requests only occur if the tree is dead, diseased, hazardous, or an emergency condition exists, as referenced above; otherwise the request will be denied.

A. Property owners may appeal the staff denial by written request, which shall be brought before the Community Activities & Beautification Committee (CAB). Per Municipal Code Section 12.26.020 (B) “CAB may grant an appeal if it finds that the staff decision would result in a burden on the property owner that substantially outweighs the benefit to the public. The Committee’s decision may be appealed to the City Council if a written appeal, setting forth the grounds, is filed with the City Clerk within ten days of the Committee’s decision. If no timely appeal is filed, the decision shall be final.”

B. Community Services staff shall provide all interested parties with information on the review process. Any tree removal requests brought forth to the Community Activities and Beautification Committee (CAB) shall be evaluated by staff and WCA. Each request shall be evaluated individually, considering any of these factors listed below to determine if tree’s removal represents a greater loss to the public than the burden placed on the property owner by its continued existence:

1. **Species of the tree.** Does the tree’s species further the City’s urban forest management goals or has it been removed from the planting pallet?

2. **Size of the tree.** Does the tree’s size provide significant value in terms of shade, tree canopy, and neighborhood character?

3. **Approximate age of the tree.** Whether the tree is young, mature, or near the end of its life cycle may be considered.

4. **Health of the tree.** Is the tree in excellent health or it is showing signs of decline or approaching the end of its life cycle?

5. **Physical characteristics of the tree.** Does the tree have appropriate structure and form or is it growing in a manner that will produce a strong, stable tree?
6. **Environmental productivity of the tree.** Is the tree believed to be environmentally productive or has productivity likely declined due to age, condition, or poor health?

7. **Safety of the property owner and general public will be considered.** The Committee may consider health and safety impacts for the residents, adjacent property owners, and public at large when evaluating a removal requests.

8. **Asset value of the tree.** The value of the tree as listed in the City’s inventory shall be included in the information presented to CAB.

9. **Utility conflicts,** both above and below ground, may be considered when evaluating a removal request. Anticipated utility conflicts may also be considered.

10. **Species and age diversification** may be considered to determine if the street would benefit from having a more diverse street tree population to reduce threats of deforestation.

11. **Consistent with previous sections of the Tree Policies,** trees may not be approved for removal based on leaves getting into gutters or a nuisance to remove, messy fruit or tree debris, roots getting into the sewer lines as a result of deteriorating infrastructure, hardscape damage if a feasible, economic solution exists to save the tree, or if a City tree is blocking solar panels.

C. **Resident / Business Notification**

   In an effort to encourage public participation, residents/merchants immediately surrounding the affected property shall be notified by mail of any property owner appeals/requests for a tree removal.

   1. A minimum of three properties adjacent to either side of the affected property shall be notified, as well as the closest three properties across the street. Staff will take into consideration unique geographic factors when sending notification letters and may exceed the three property minimum as deemed necessary.

   2. In addition, City staff will post a notice on the affected tree no less than 10 days prior to review by the Community Activities and Beautification Committee (CAB).

   3. The notice will include information on the proposed removal, property owner appeal, and meeting dates, times, and locations.

   4. Agendas for Community Activities and Beautification Committee (CAB) meetings will be posted a minimum of 72 hours prior to the meeting date for public review. Interested residents / merchants are
invited to make public comment at the meetings or submit written
comments for consideration.

5. The Community Services Department may or may not be able to
notify the public of emergency and hazardous tree removals due to
the degree of urgency during these events.

6. A list of newly planted and removed trees will be brought to the
Community Activities and Beautification Committee (CAB) on an
annual basis as a receive and file item for information purposes.

VII. REPLACEMENT AND PLANTING OF TREES

A. Criteria for Tree Replacement

The City of La Palma tree population management plan shall be based
primarily upon the City’s designated street tree list provided in Attachment
A. The tree pallets are subject to change at the recommendation of the
City’s Tree Committee. All other trees planted in the City that do not border
a public right-of-way are consider by the Tree Committee on a case-by-case
basis and in consultation with the City’s contracted arborist; qualified and
accepted tree planting guides for the region; and the Director.

The plan incorporates the following criteria when planting or replacing trees:

1. Species resiliency. Based upon the Species adaptability to the
climate.

2. Growspace. The amount of parkway space available relative to the
expected tree trunk circumference and root flare at maturity.

3. Overhead clearance. The potential for conflicts between the tree’s
canopy and overhead obstructions, such as utility lines, at the tree’s
mature height.

4. Community design plan for the neighborhood. The general
compatibility between the tree and its location.

5. Pest and disease resiliency. Species known for having a lack of
significant pest or disease problems are preferred.

6. Drought tolerant. Species that are more tolerant of long, dry
periods and lack of water are preferred.

7. Durability and wind resiliency. Species that are not brittle in nature
and provide for good wind buffers are preferred.
8. **Canopy and subsurface growth habits.** Species that do not have growth characteristics such as invasive surface roots, extensive sucker production, or abundant fruit litter are preferred.

9. **Irrigation drainage and soil qualities.** Species that do well under a variety of different irrigation and soil conditions are preferred.

10. **General aesthetics and shading potential.** Species that provide some aesthetic benefits, such as showy flowers or attractive fall color, or trees that provide a good amount of shade are preferred.

11. **Existing, traditional or native plant palettes.** Species that already exist in a particular area, have traditionally or historically existed in that area, or are native to this region are preferred.

### B. Street Tree Replacements

1. All tree wells of trees being replaced and all new tree wells are to be placed adjacent to the curb. All street tree replacement is subject to review and approval by the Tree Committee.

2. The spacing of new tree wells shall be a minimum of 50 feet with consideration given to driveways, street light poles, power poles, and sigh distances at intersections and driveways. The City’s goal is to place automated irrigation in every tree well. New / replacement tree wells will not be added without automated irrigation.

3. Prior to removing any healthy, mature tree in the public right of way, the City Council is to be notified, except in cases of emergency which threatens life or property.

4. The normal tree replacement size shall be 15-gallon. In special cases a larger size may be used.

5. The planting methodology to be used in replacing all street trees shall be a deep root barrier system especially designed for trees.

### C. Tree Planting Specifications

The following specifications pertain to all trees that are to be planted within the public right-of-way or on publicly owned property:

1. Replacement trees are selected from the designated list of tree species (Attachment A) and with consideration given to the potential negative impacts of a monoculture tree selection.

2. The location of a replacement tree shall be subject to the approval of the Director. A replacement tree shall be planted in a reasonable
location as close as possible to the removed tree, unless otherwise noted.

3. The minimum size planting area for the tree species will be dictated by City's Standard Plan No. 206, size alterations subject to field conditions.

D. Planting Stock and Materials

1. Quality

   a) All plants and trees installed within the City of La Palma shall conform to most current ANSI Z60.1 standard.

   b) Plants shall be sound, healthy, vigorous, and free of plant disease and insect pests and their eggs.

   c) Container stock shall be grown for at least eight months in containers and shall not be root bound or have girdling roots.

   d) Trees shall not have been topped.

   e) Nursery stakes shall be removed when tree is installed in the ground.

   f) Trees shall be planted in a minimum 24" box size.

2. Miscellaneous Materials

When deemed necessary by the arborist, the following materials shall be used:

   a) Support stakes shall be treated or untreated two-inch diameter lodge pole pine without the use of cross braces. After installation, stakes shall be trimmed so that the branches clear the top of the stake. Generally, the stakes shall have an installed height of two-thirds the height of the tree.

   b) Tree ties shall be used and installed in a figure eight fashion to support the tree to the stakes at the bending point of the trunk.

   c) Screened untreated wood chips shall be used that are one-half to one inch in size and spread to a two-inch depth out to the edge of the root ball. The mulch shall be kept at least six inches away from the trunk and shall be applied to each tree at two times the diameter of the tree root ball.
d) Where appropriate for use along public sidewalks, 12-inch linear root barrier shall be used and shall be ten feet in length and placed on center with the tree and on the sidewalk or curbside only. Root barrier boxes or barrier circles that encircle the tree are not approved. Species selection should be suitable to minimize infrastructure conflicts.

e) Where sidewalk width is less than eight feet and new trees will be installed, tree well designs should consider reduction of trip hazards as approved by the Director.

f) Stem guard devices are recommended for new trees in turf areas to help reduce damage to lower trunks by weed eaters.

E. Planting Site Preparation

1. Soil Preparation and Conditioning: All debris, wood chips, pavement, concrete and rocks over two inches in diameter shall be removed from the planting pit to a depth dictated by the root ball size of the tree being installed, unless approved otherwise by the Director.

F. Planting in Difficult Soil Conditions

1. Trees planted in turf areas shall have a ring of mulch. The turf shall be maintained a minimum of one foot from the new tree stem, with mulch placed on top of the root ball. The mulch shall be six inches away from and not touching the tree stem.

2. Occasionally, tree planting must occur in poor or difficult soil where standard planting techniques will result in poor-to-average performance or mortality. In this case, alternative or specified soils, such as engineered, amended or structural urban tree soil mix, including written specifications and physical samples, shall be submitted for approval by the Director.
3. Planting schematic from International Society of Arboriculture.

VIII. SOUTHERN CALIFORNIA EDISON RIGHT-OF-WAY TREE CARE

All tree care in the Southern California Edison (SCE) Right-of-Way (ROW) follows the SCE requirements and the Utility Vegetation Management: A Reference Manual for Agencies and Local Governments, and is maintained by the City in compliance with State and Federal requirements and standards including:

- California Public Utilities Commission (CPUC) General Order (G.O.) 95, Rule 35 and 37;
- California Public Resources Code (PRC), Sections 4292 and 4293;
- North American Electric Reliability Corporation (NERC), Western Electricity Coordinating Council (WECC), and California Independent System Operator (CAISO) transmission standards;

A. Southern California Edison Tree Choices

Per the Edison Right-of-Way Lease Agreement with the City of La Palma, trees are to be selected and approved by SCE for the right-of-way prior to any tree planting and / or tree replacement project.
B. Tree Maintenance and Inspections

Tree maintenance and inspections along the Edison right-of-way, are completed bi-weekly by the City and its contracted landscaping and tree maintenance service providers in accordance with the Utility Vegetation Management manual and Edison right-of-way tree care requirements.

C. Tree Watering

Existing trees in the Edison right-of-way, without formal automated watering systems, are manually watered on a bi-weekly schedule during the dry seasons and as needed during the wet / rainy seasons.

D. Resident Tree Maintenance Responsibility

1. Property owners in the City of La Palma that border the Edison right-of-way shall comply with SCE tree maintenance standards.

2. The City of La Palma provides recommendations to residents as it pertains to the safe administration of tree care boarding the Edison right-of-way, however, resident notification it is not required by the City of La Palma’s municipal code.

3. Property owners may be notified by the SCE in the event of tree planting or maintenance violations. Residents should consult the Utility Vegetation Management manual for proper tree care near utility lines.

4. Property owners in the City of La Palma that in violation of the City’s Code Enforcement Yard / Lawn Landscaping and Maintenance requirements are subject to notification and possible citation.

IX. REFERENCES

- ANSI A300: Standards for Tree Care Operations
- ANSI Z133: Safety Requirements for Arboricultural Operations
- ANSI Z60.1: Nursery Stock Standard
- Guide for Plant Appraisal, Current Edition
- ISA Tree Risk Assessment BMP
- ISA Tree Pruning BMP
- ISA Downloadable Resources
- Utility Vegetation Management: A Reference Manual for Agencies and Local Governments
- [www.ansi.org](http://www.ansi.org)
## ATTACHMENT A: Street Tree Palette

<table>
<thead>
<tr>
<th>Street</th>
<th>Tree Common Name</th>
<th>Tree Species</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Crescent Avenue</strong></td>
<td>1. Australian Willow</td>
<td>1. <em>Geijera parviflora</em></td>
</tr>
<tr>
<td></td>
<td>2. Crape Myrtle</td>
<td>2. <em>Lagerstroemia indica</em></td>
</tr>
<tr>
<td></td>
<td>4. Long Leafed Yellowwood</td>
<td>4. <em>Podocarpus henkelii</em></td>
</tr>
<tr>
<td></td>
<td>5. Queen Palm</td>
<td>5. <em>Syagrus romanzoffiana</em></td>
</tr>
<tr>
<td><strong>Denni Street</strong></td>
<td>1. Crape Myrtle – Red</td>
<td>1. <em>Lagerstroemia indica</em></td>
</tr>
<tr>
<td></td>
<td>2. Rotundiloba Sweetgum</td>
<td>2. <em>Liquidambar styraciflua 'Rotundiloba'</em></td>
</tr>
<tr>
<td></td>
<td>3. Queen Palm</td>
<td>3. <em>Syagrus romanzoffiana</em></td>
</tr>
<tr>
<td><strong>Houston Avenue</strong></td>
<td>1. Australian Willow</td>
<td>1. <em>Geijera parviflora</em></td>
</tr>
<tr>
<td></td>
<td>2. Canary Island Pine</td>
<td>2. <em>Pinus canariensis</em></td>
</tr>
<tr>
<td></td>
<td>3. Crape Myrtle</td>
<td>3. <em>Lagerstroemia indica</em></td>
</tr>
<tr>
<td></td>
<td>5. Long Leafed Yellowwood</td>
<td>5. <em>Podocarpus henkelii</em></td>
</tr>
<tr>
<td></td>
<td>6. Queen Palm</td>
<td>6. <em>Syagrus romanzoffiana</em></td>
</tr>
<tr>
<td><strong>La Palma Avenue</strong></td>
<td>1. Australian Willow</td>
<td>1. <em>Geijera parviflora</em></td>
</tr>
<tr>
<td></td>
<td>2. Canary Island Pine</td>
<td>2. <em>Pinus canariensis</em></td>
</tr>
<tr>
<td></td>
<td>3. Crape Myrtle-Red</td>
<td>3. <em>Lagerstroemia indica</em></td>
</tr>
<tr>
<td></td>
<td>4. Marina Strawberry Tree</td>
<td>4. <em>Arbutus 'Marina'</em></td>
</tr>
<tr>
<td></td>
<td>5. African Fern Pine</td>
<td>5. <em>Podocarpus gracilior</em></td>
</tr>
<tr>
<td></td>
<td>6. Queen Palm</td>
<td>6. <em>Syagrus romanzoffiana</em></td>
</tr>
<tr>
<td><strong>Moody Street</strong></td>
<td>1. Brisbane Box</td>
<td>1. <em>Lophostemon confertus</em></td>
</tr>
<tr>
<td></td>
<td>2. Canary Island Pine</td>
<td>2. <em>Pinus canariensis</em></td>
</tr>
<tr>
<td></td>
<td>3. Crape Myrtle-White</td>
<td>3. <em>Lagerstroemia indica</em></td>
</tr>
<tr>
<td></td>
<td>4. Holly Oak</td>
<td>4. <em>Quercus ilex</em></td>
</tr>
<tr>
<td></td>
<td>5. African Fern Pine</td>
<td>5. <em>Podocarpus gracilior</em></td>
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<td></td>
<td>6. Queen Palm</td>
<td>6. <em>Syagrus romanzoffiana</em></td>
</tr>
<tr>
<td><strong>Orangethorpe Avenue</strong></td>
<td>1. Canary Island Pine</td>
<td>1. <em>Pinus canariensis</em></td>
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<tr>
<td></td>
<td>2. Chinese Flame Tree</td>
<td>2. <em>Koelreuteria bipinnata</em></td>
</tr>
<tr>
<td></td>
<td>3. Crape Myrtle-Red</td>
<td>3. <em>Lagerstroemia indica</em></td>
</tr>
<tr>
<td></td>
<td>4. Goldenrain Tree</td>
<td>4. <em>Koelreuteria paniculata</em></td>
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<tr>
<td></td>
<td>5. African Fern Pine</td>
<td>5. <em>Podocarpus gracilior</em></td>
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<tr>
<td></td>
<td>6. Queen Palm</td>
<td>6. <em>Syagrus romanzoffiana</em></td>
</tr>
<tr>
<td>Valley View Street</td>
<td>1. Australian Willow</td>
<td>1. Geijera parviflora</td>
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<tr>
<td></td>
<td>2. Brisbane Box</td>
<td>2. Lophostemon confertus</td>
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<tr>
<td></td>
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<td>3. Pinus canariensis</td>
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<td>5. Koelreuteria paniculata</td>
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<td></td>
<td>6. Holly Oak</td>
<td>6. Quercus ilex</td>
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<tr>
<td>Walker Street</td>
<td>1. Brisbane Box</td>
<td>1. Lophostemon confertus</td>
</tr>
<tr>
<td></td>
<td>2. Canary Island Pine</td>
<td>2. Pinus canariensis</td>
</tr>
<tr>
<td></td>
<td>3. Crape Myrtle-White</td>
<td>3. Lagerstroemia indica</td>
</tr>
<tr>
<td></td>
<td>5. Queen Palm</td>
<td>5. Syagrus romanzoffiana</td>
</tr>
<tr>
<td>General Street Tree Palette</td>
<td>(May be used for all streets)</td>
<td>1. Australian Willow</td>
</tr>
<tr>
<td></td>
<td>2. Chinese Flame Tree</td>
<td>2. Koelreuteria bipinnata</td>
</tr>
<tr>
<td></td>
<td>3. Crape Myrtle</td>
<td>3. Lagerstroemia indica</td>
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<tr>
<td></td>
<td>4. Sweetgum Rotundiloba</td>
<td>4. Liquidambar styraciflua 'Rotundiloba'</td>
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<td></td>
<td>5. Long Leafed Yellowwood</td>
<td>5. Podocarpus henkelli</td>
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<tr>
<td></td>
<td>6. Queen Palm</td>
<td>6. Syagrus romanzoffiana</td>
</tr>
</tbody>
</table>
ATTACHMENT B: Street Tree Palette Images
Image Reference: Urban Forest Ecosystems Institute, NRES Department
California Polytechnic State University, San Luis Obispo, CA

Image 1: Australian Willow
Image 2: Chinese Flame Tree
Image 3: Crape Myrtle
Image 4: Rotundiloba Sweetgum
Image 5: Long Leafed Yellowwood

Image 6: Queen Palm

Image 7: Brisbane Box

Image 8: African Fern Pine