

Communication from Public

Name: Lois Becker

Date Submitted: 12/01/2020 02:58 AM

Council File No: 13-1339

Comments for Public Posting: To the Honorable Chairperson Blumenfield and Committee Members: I am writing to you on behalf of Bel Air Skycrest Property Owners' Association (BASPOA) regarding what we hope will be the final chapter in the ongoing saga of the amendment to add the Mexican elderberry and toyon to the Protected Tree Ordinance. Our Santa Monica Mountains community strongly supports their inclusion and—very importantly—we support a 4-inch cumulative diameter measurement taken 4.5 feet from the ground as the best determining metric for protection (and consistent with the existing measurement standard for the other species in the Ordinance). The Santa Monica Mountains are one of nature's greatest gifts to Los Angeles—a 46-mile swath of wilderness, miraculously—and tenuously—surviving inside a great urban center. It is the ultimate urban-wildlands interface. Species like the Mexican elderberry and toyon are crucial links in a delicately balanced network of complex, highly interdependent life forms, ranging from the smallest wildflower to the mightiest mountain lion. Sadly, we have taken this incredible resource for granted for far too long. But now, with the Protected Tree Ordinance Amendment, the City has an opportunity to set a new standard for responsible, proactive stewardship and to make a truly meaningful contribution to the survival of the whole magnificent ecosystem. The question of whether to define the elderberry and toyon as trees or shrubs has taken up an undue amount of time in the ordinance process thus far. It is largely a matter of semantics, though perhaps also to some degree of human aesthetics. People have definite biases regarding size and form. We are apt to be impressed by something large, something that looks more like a tree. We may find larger specimens or those with a more sculptured, “tree-like” shape more appealing than a shrub. But in nature and in science, a plant's value does not lie in its appeal to the human eye but in its ability to adapt to its environment and the part it plays in that extraordinary interdependent living ecosystem. The environmental conditions here in the Santa Monica Mountains produce a number of species (some already on the protected list) that, depending on circumstance, may produce either single or multiple trunks. The apparent ambiguity (is it a tree or a shrub?) in no way diminishes the ecological value of the specimen and in many cases may

actually increase it. Variations of form and growth are, in fact, key to these species' ability to survive and thrive under a variety of conditions. It is essential to these plants' extraordinary resilience, even their ability to withstand and come back from stressors such as drought and fire. Understood in this way, the cumulative diameter measure more accurately reflects the plant's significance in the ecosystem, regardless of whether the particular specimen is (quite randomly) defined as a tree or a shrub and quite apart from people's feelings about trees and shrubs. Cumulative diameter is therefore a better and more objective determining metric for the Ordinance. There is therefore no compelling reason to change the current metric for protected trees, nor is there any compelling reason to create a separate standard for the Mexican elderberry and toyon. To do either would, in fact, undermine the Ordinance's protective capability, and would result in significant specimens being swept away in the course of routine brush clearance. Passing a clearly conceived and strongly written Ordinance amendment is only the beginning. The Ordinance must then be implemented and enforced with commitment. In this regard BASPOA endorses the very sensible recommendations made by the Community Forest Advisory Committee (CFAC) in their November 16, 2020 letter: 1) to educate developers in the importance of retaining as much native vegetation as possible and to maintain strong standards discouraging replacement of protected shrubs—allowing such replacement only if demonstrated to be absolutely necessary and then only subject to approval of the Board of Public Works at a public hearing; 2) to designate a special unit of dedicated staff (specialists such as a biologist/ecologist, arborist, and architect) to implement administration and enforcement of the Ordinance, under the auspices of a relevant environmental office such as LASAN's Biodiversity office; and 3) to review and update fees to achieve full cost recovery and fund the staff required in order to fully implement the program, both administratively and in the field. BASPOA urges you to pass the subject Ordinance amendment in a form that will provide the new additions with meaningful protection—amended to specify the measurement standard of a 4-inch cumulative diameter measurement taken 4.5 feet from the ground—and incorporating the implementation recommendations of the CFAC. Generations to come will thank you... Lois Becker, BASPOA Community Liaison



Public Works and Gang Reduction Committee
Los Angeles City Council
200 N. Spring Street
Los Angeles, CA 90012

November 30, 2020

VIA EMAIL AND COUNCIL FILE E-SUBMISSION

**Re: Protected Tree Ordinance Amendment (CF 13-1339)
Mexican Elderberry/Toyon/Adding to Protected Tree List
PW&GR Committee, December 2, 2020, Agenda Item 2**

To the Honorable Chairperson Blumenfield and Committee Members:

I am writing to you on behalf of Bel Air Skycrest Property Owners' Association (BASPOA) regarding what we hope will be the final chapter in the ongoing saga of the amendment to add the Mexican elderberry and toyon to the Protected Tree Ordinance. Our Santa Monica Mountains community strongly supports their inclusion and—very importantly—we support a *4-inch cumulative diameter measurement taken 4.5 feet from the ground* as the best determining metric for protection (and consistent with the existing measurement standard for the other species in the Ordinance).

The Santa Monica Mountains are one of nature's greatest gifts to Los Angeles—a 46-mile swath of wilderness, miraculously—and tenuously—surviving inside a great urban center. It is the ultimate urban-wildlands interface. Species like the Mexican elderberry and toyon are crucial links in a delicately balanced network of complex, highly interdependent life forms, ranging from the smallest wildflower to the mightiest mountain lion. Sadly, we have taken this incredible resource for granted for far too long. But now, with the Protected Tree Ordinance Amendment, the City has an opportunity to set a new standard for responsible, proactive stewardship and to make a truly meaningful contribution to the survival of the whole magnificent ecosystem.

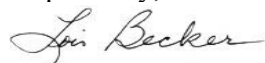
The question of whether to define the elderberry and toyon as trees or shrubs has taken up an undue amount of time in the ordinance process thus far. It is largely a matter of semantics, though perhaps also to some degree of human aesthetics. People have definite biases regarding size and form. We are apt to be impressed by something large, something that looks more like a tree. We may find larger specimens or those with a more sculptured, “tree-like” shape more appealing than a shrub. But in nature and in science, a plant's value does not lie in its appeal to the human eye but in its ability to adapt to its environment and the part it plays in that extraordinary interdependent living ecosystem. The environmental conditions here in the Santa Monica Mountains produce a

number of species (some already on the protected list) that, depending on circumstance, may produce either single or multiple trunks. The apparent ambiguity (is it a tree or a shrub?) in no way diminishes the *ecological value* of the specimen and in many cases may actually increase it. Variations of form and growth are, in fact, key to these species' ability to survive and thrive under a variety of conditions. It is essential to these plants' extraordinary resilience, even their ability to withstand and come back from stressors such as drought and fire. Understood in this way, **the cumulative diameter measure more accurately reflects the plant's significance in the ecosystem, regardless of whether the particular specimen is (quite randomly) defined as a tree or a shrub and quite apart from people's feelings about trees and shrubs. Cumulative diameter is therefore a better and more objective determining metric for the Ordinance.** There is therefore no compelling reason to change the current metric for protected trees, nor is there any compelling reason to create a separate standard for the Mexican elderberry and toyon. To do either would, in fact, undermine the Ordinance's protective capability, and would result in significant specimens being swept away in the course of routine brush clearance.

Passing a clearly conceived and strongly written Ordinance amendment is only the beginning. The Ordinance must then be implemented *and enforced* with commitment. In this regard BASPOA endorses the very sensible recommendations made by the Community Forest Advisory Committee (CFAC) in their November 16, 2020 letter: 1) to educate developers in the importance of retaining as much native vegetation as possible and to maintain strong standards discouraging replacement of protected shrubs—allowing such replacement *only* if demonstrated to be absolutely necessary and then *only* subject to approval of the Board of Public Works at a public hearing; 2) to designate a special unit of dedicated staff (specialists such as a biologist/ecologist, arborist, and architect) to implement administration and enforcement of the Ordinance, under the auspices of a relevant environmental office such as LASAN's Biodiversity office; and 3) to review and update fees to achieve full cost recovery and fund the staff required in order to fully implement the program, both administratively and in the field.

BASPOA urges you to pass the subject Ordinance amendment in a form that will provide the new additions with meaningful protection—amended to specify the measurement standard of a **4-inch cumulative diameter measurement taken 4.5 feet from the ground**—and incorporating the implementation recommendations of the CFAC. Generations to come will thank you for preserving the health, beauty, and recreational and educational resources of our city and its wildlands.

Respectfully,



Lois Becker, BASPOA Community Liaison

PO Box 260503
Encino 91426
info@baspoa.org

3100 Corda Drive
Los Angeles 90049
loismark@gmail.com

Communication from Public

Name: Center for Biological Diversity
Date Submitted: 12/01/2020 10:46 AM
Council File No: 13-1339
Comments for Public Posting: Please see the attached letter from the Center for Biological Diversity regarding CF 13-1339.



December 1, 2020

Sent via email

Councilmember Bob Blumenfield, Chair,
and Members of the Public Works and Gang Reduction Committee
Los Angeles City Hall
200 N. Spring Street, Room 361
Los Angeles, CA 90012-4801

Re: Support Amendment to Add Toyon and Mexican Elderberry to the Protected Tree Ordinance (CF 13-1339)

Dear Chairperson Blumenfield and Committee Members:

The Center for Biological Diversity strongly supports the amendment of the Protected Tree Ordinance to include toyon and Mexican elderberry. We also urge the Committee to keep the measurement requirement the same as all other species in the Protected Tree Ordinance (4” *cumulative* diameter at 4 ½ feet high).

Background on the Center

The Center for Biological Diversity (“Center”) is a non-profit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over 1.7 million members and online activists throughout California and the United States. The Center and its members have worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and overall quality of life for people in Los Angeles.

Toyon and Mexican Elderberry Are Critical Members of Local Ecosystems

Plants are foundational to life on Earth. Through photosynthesis, they convert water and carbon dioxide into the oxygen we breathe and the sugars that provide the fuel for life. Plants were instrumental to evolution because they produced oxygen that made life on Earth possible—both by “breathing” it into the atmosphere and transforming it, but also by creating soils through crushing rocks with their roots and releasing nutrients. Plants are critical to the existence of every species of animal on Earth, including humans.

Toyon and Mexican elderberry are important members of our local ecosystems. Toyon berries provide a source of food for native birds including American robins, western bluebirds, mockingbirds, and California quail. Toyon also is a prominent component of the coastal sage scrub plant community and is evolved to thrive in Southern California’s drought-prone landscapes. Likewise, Mexican elderberry is a key source of food for Southern California’s birds,

and acts as a host for many species of butterflies and moths. Both shrubs provide much-needed shade for mammals, birds, and reptiles during hot summer days, and can provide nesting sites for some species. Protecting these plants will help local ecosystems adapt to climate change and contribute to a healthy environment for both wildlife and people.

Los Angeles Should Do Its Part to Combat the Global Extinction Crisis

The current extinction crisis is caused almost entirely by humans. Indeed, 99 percent of threatened species are at risk from human activities such as habitat loss, introduction of exotic species, and climate change. Plants are particularly vulnerable to extinction because – unlike some animals – they can't readily move to new habitat when their habitat is destroyed. Of the 300,000 known species of plants, the International Union for Conservation of Nature has evaluated only about 13,000, and found 68 percent of those evaluated to be threatened with extinction. Climate change is already causing dramatic changes in the range and distribution of plants around the world.

As one of the largest cities in the world, Los Angeles should act as a leader in protecting local plants and prioritizing biodiversity and healthy ecosystems for the benefit of both wildlife and people. Amending the Protected Plant Ordinance to include toyon and Mexican elderberry is an important step towards safeguarding these plants and the other species that depend upon them.

Sincerely,



J.P. Rose
Staff Attorney
Center for Biological Diversity
660 S. Figueroa Street, Suite 1000
Los Angeles, California 90017
Telephone: (213) 785-5406
jrose@biologicaldiversity.org



Ilene Anderson
Senior Scientist
Center for Biological Diversity
660 S. Figueroa Street, Suite 1000
Los Angeles, California 90017
Telephone: (323) 490-0223
ianderson@biologicaldiversity.org

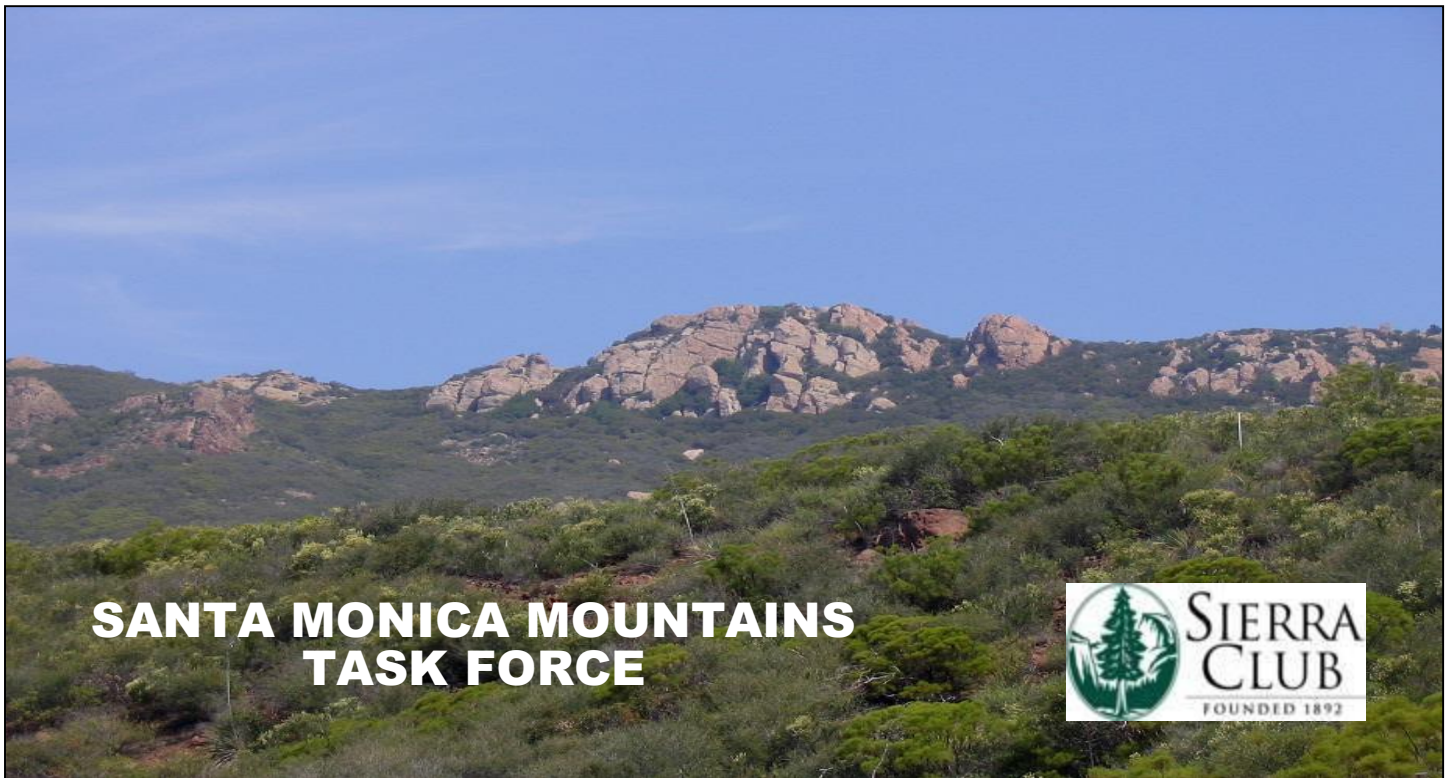
Communication from Public

Name: Eric Edmunds

Date Submitted: 12/01/2020 07:21 PM

Council File No: 13-1339

Comments for Public Posting: Please see attached letter from the Sierra Club Santa Monica Mountains Task Force.



November 30, 2020

Public Works and Gang Reduction Committee
City of Los Angeles
200 N Spring Street
Los Angeles, CA 90012

VIA EMAIL AND CFMS SUBMISSION
<https://cityclerk.lacity.org/publiccomment/>

Re: CF 13-1339 Addition of Toyon and Mexican Elderberry to the Protected Tree Ordinance
SUPPORT FOR COMMUNITY FOREST ADVISORY COMMITTEE RECOMMENDATIONS
Public Works and Gang Reduction Committee Hearing Date: December 2, 2020

Dear Chairperson Blumenfield and Honorable Committee Members:

The Sierra Club, founded in 1892, is the nation's oldest and largest environmental and conservation organization, with over two million members and supporters, of whom 150,000 reside in California. The Santa Monica Mountains Task Force was created in 1972 to work for preservation of open space and precious biological resources in the largest intra-urban mountain range in the United States. One of our goals is to promote and protect the biotic resources of the Santa Monica Mountains.

We SUPPORT the addition of these two species to the Protected Tree Ordinance and the associated recommendations of the City's urban forest advisory body, the Community Forest Advisory Committee:

1) The existing measurement standard in the Protected Tree Ordinance should be applied to the two new species — four inches in diameter measured **cumulatively** at four and a half feet above the ground. Applying the newly created measurement standard proposed by the Urban Forestry Division and the City Forest Officer will exclude too many of these shrubs/small trees, especially given that the natural morphology of these species is multi-stemmed. Applying a measurement standard requiring a single stem of substantial diameter is not reasonable or logical for “shrubs” which are by their nature multi-stemmed.

2) Developers should be advised at the outset of their projects that the City expects — and potentially in the future even *rewards* — project design that accommodates the retention of the naturally occurring native habitat on their sites so that removals of protected native trees and shrubs are largely avoided up front. They should also be informed early that any absolutely necessary removals will need to be mitigated through the planting of the same species on site at the current Board-mandated 4:1 ratio. This “education” of developers at the front end could serve to make removals and replacements less common generally, and help reduce and avoid an expressed “need” for off-site and out-of-kind replacement plantings.

Allowing the exercise of discretion for out-of-kind plantings at the staff (“designee”) level would undesirably keep awareness or monitoring of this action, and the extent or frequency of its use, out of public view. Requiring a Board of Public Works hearing provides the opportunity for the public to provide the informed comment, backed by ecological or biological expertise, that has so frequently resulted in tree-retention solutions and improved projects through that review mechanism. While the City continues to lack the appropriately qualified biologist or ecologist staff to supply this knowledge, public participation at Board hearings has often filled this gap and provided viable project alternatives that have improved site outcomes for native habitat.

3) To fill the gap in expertise noted above, we support the creation of a separate unit to administer the Protected Tree Ordinance, the aim of which is surely not to administer the removal of native habitat, but to help avoid its necessity in the first place. This can be better achieved through the hiring of dedicated staff — an ecologist, an architect, an arborist/horticulturist — able to knowledgeably guide and assist developers to avoid native plant removals, and the stationing of that unit in a relevant environmental department, such as LASAN’s Biodiversity office or the new Climate Emergency Department.

4) We support CFAC and the October 14 Staff Report’s call for a revised, full cost recovery fee structure to fully fund the staffing needs and costs of administering the Protected Tree Ordinance.

Sincerely,

Eric Edmunds

Eric F. Edmunds, Jr.
Chair,
Sierra Club Santa Monica Mountains Task Force

Communication from Public

Name: Clara Solis

Date Submitted: 12/01/2020 07:54 PM

Council File No: 13-1339

Comments for Public Posting: I support the addition of the Toyon and Mexican Elderberry to the Protected Tree Ordinance. I remember many years ago hearing that they were being considered for protection by the City of Los Angeles. I wondered what happened why wasn't it done. Obviously these Native trees should be protected. Recently, the New York Times wrote of the impacts of racism on communities of color.
<https://www.nytimes.com/interactive/2020/08/24/climate/racism-redlining-cities-global-warming.html>
Communities that were redlined are now disproportionately facing the heat island effect. They are where freeways were placed, have much higher density and are communities filled with concrete. Having spent the majority of my life with the I-710 as my back fence neighbor, I have a deep appreciation for trees. Other than parks and cemeteries, there are practically no native trees. In Highland Park we are fortunate to have more native trees. They must be preserved before our community here also becomes a community of concrete devoid of trees. The Mexican Elderberry and Toyon are native trees that are necessary to preserve our community and the wildlife that live here. I urge you to support the addition of the Toyon and Mexican Elderberry. Further, I ask that you keep the same requirement that currently exists when determining if a tree is eligible. The tree should measure 4 inches cumulatively at 4 ½ feet. There should not be an additional requirement of a stem of at least 2 ½ inches. The Toyon and Mexican Elderberry are frequently chopped down by gardeners during brush clearance. So they may not have the 2 inch stem. Thank you, Clara Solis, 521 N Avenue 67, Los Angeles, CA 90042, CD 14 Resident of 19 years