

**Jeremy Swan**

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**From:** Frederick Roth [REDACTED]  
**Sent:** Monday, July 8, 2024 4:32 PM  
**To:** UFMP  
**Subject:** Final Comments on Tree Policy Manual  
**Attachments:** Final Comments on draft Policy Manual July 2024.docx

Fred Roth's Notes and Suggested Corrections to draft Tree Policy and Guidelines Manual

Page 4, paragraph 4 - add: "and there is no reasonable alternative to resolving the conflict."

Page 4 – paragraph 5 –

The paragraph states that a city tree in conflict with infrastructure it will be removed if among other conditions, the costs of infrastructure repair is "greater than the economic value of the tree." It is not clear on what basis or by whom the economic value of the tree is determined. Further, trees have more than economic value to the community. How much greater does the cost be to justify removal? I find this to be unacceptable. If it is retained, the "economic value of the tree", costs of alternatives, and an estimate of repair cost are factors that must be included in the documentation. This seems also to be in conflict with the statement on page 5 – Following Guiding Principles "**Trees of our urban forest are more than aesthetic enhancements and shall be cared for as a community asset.**"

Every decision to remove a community tree must be documented in writing using the **Proposed Tree Removal Form** (sample provided as last page of this document) and available to the public.

Page 5 – paragraph 3 - replace "should" with "shall" in the next to last sentence. The last sentence in the paragraph is vague. What is the meaning of "underlying intent"?

Page 7 – Second paragraph under The Community and Human Services Commission. The committee would be most effective if its members are familiar with the principles of tree management. If such people are not found in the members of the commission, membership should be opened to a broader group of candidates.

Page 8 – paragraph 1 - It is not clear what is meant by "community – facing educational materials"?

Page 16 – First paragraph under Nursery Stock Standards - All nursery stock shall be inspected by an ISA certified arborist employed by the city of Claremont prior to planting for adherence to the standards described in this document.

Page 17 – paragraph after Wood Chip Mulch (and also on page 19) - Having mulch against the trunk has not been found to be harmful according to career-long research by Dr. James Downer of UC Extension.

Page 21 – There is nothing to tell the homeowner how often to irrigate newly planted trees, just that it should be frequent. This is open to interpretation and needs to be more specific. None is there anything about weather conditions or time of year. There is nothing about how long it takes newly planted trees to become independent of applications to the root ball.

Page 21 – first line on the page - the sentence should read “deliver at least 15 gallons.” This seems excessive for a 15 gallon tree. Add a statement that the water must wet the root ball.

Page 24 – In the discussion of Crown Thinning. This pruning specification has been removed from the ANSI A300 2017 standard for pruning. The ANSI Standard noted that the term is frequently misunderstood and is often used to justify poor pruning practices such as lion tailing. The term “thin” remains in the standard but not as a general specification. It may apply to parts of a tree which appear to be too dense, but its use should be rare and limited to specific individual trees and circumstances.

It seems to me that crown raising should be included in this section but that it should be limited to preserving pedestrian and vehicle access.

Page 27 – paragraph labeled “Hardscape” – should read “The City will consider **and document** all options...” See comments on Page 4 paragraph 5.

Page 28 – paragraph following Root Shaving - should read “the **bottom of the new hardscape.**”

Page 28 – paragraph following Preventing the Spread of Disease - There are very few pathogens that can be spread by pruning tools. The pathogen that causes Fusarium wilt of Canary Island palms is the major problem requiring tool sterilization. Otherwise, it is unnecessary. The section also raises the issue of disposal of waste from “diseased” trees. Special treatment should be necessary only when the nature of the disease has been established and the pathogen is known to spread on prunings. It is incorrect to identify a declining tree as diseased without a credible diagnosis. A description of the condition of the tree should be sufficient. Consider also that there are many cause of tree decline that are not related to pathogens or insects.

Page 29 – second paragraph following **Removal** - consider **and document** all feasible mitigation options...

Page 29 – second paragraph following **Removal** - replanting the same or larger stature tree is an unacceptable expense and would likely require major infrastructure repair.

Page 29 – second paragraph following **Removal** – The meaning of “standard removal” is not clear. The different public notification requirements referred to should be listed here.

Page 29 paragraph following **Emergency Removals** – Should read: ... “a threat to public safety due to a hazardous condition and its sensitive location.”

Page 29 paragraph following **Emergency Removals** - The meaning of “Timely” removal” is **not at all clear**. If it isn’t an emergency removal, is it a “non-emergency removal?”

Page 29 paragraph following **Emergency Removals** - The TRAQ process does NOT designate trees as “hazardous”. The process assesses the level of risk the tree presents, and a manager determines the level of risk that is tolerable.

Page 29 paragraph following **Emergency Removals** - It is not adequate for a certified arborist to conduct risk assessments **using the TRAQ program**. The assessment must be performed by a Qualified TRAQ assessor, as is required on page 30.

Page 30 Paragraph following **Dead/Severely Declining Trees**. The removal of a tree that is harboring an exotic pest or pathogen that is a threat to the urban forest is reasonable but should be **extremely rare**.

Page 30 paragraph following **Timely Removals** – This paragraph should be removed – the material is covered in the paragraph under “Hazardous Trees. There is no distinction between healthy and unhealthy trees in risk assessment.

Page 31 paragraph following **Public Safety** - It is not clear how the removals identified as for “public safety” differs from the list of removals considered permissible on page 30 or under the paragraph dealing with **Hazardous Trees**.

Page 31 Paragraph following **Notification Procedures for Emergency Removals** – This entire section and Exhibit 1 seem garbled. It should read **Public Notification Requirements for Tree Removals**. It should then list notification requirements for “Non-Emergency Removals” and state that “No public notification is required for emergency removals.” All removals should be documented with the reason risk is elevated unacceptably and what remediations are rejected. Documentation should be available to the public.

Notification for non-emergency removals should be covered in this paragraph. On page 35 that the notification period for non-emergency removals is 15 days. If it is not an emergency, the period should be extended to 30 days following presentation to the Tree Committee at a public meeting.

Page 31 Paragraph following **Standard Removals** – change “standard removals” to **“Non-Emergency Removals.”**

Page 31 Paragraph following **Diseased/Insect Infested Trees** – The word “Diseased” has no meaning. Tree decline is common, but a definitive diagnosis of a pathogen is rare and there are many reasons why a tree may be in decline without any important pathogen being present. It should be sufficient to describe the tree as being in “advanced decline” unless the cause is known. It could then be removed as a risk to public safety.

Page 31 Paragraph following **Hardscape/Infrastructure/Building Damage** – I suggest removing the word “health”. It is very difficult to assess how much root pruning causes sufficient injury to affect tree health. The threat generally is not to tree health, but to tree stability. It should also state that tree removal is considered after all mitigation measures have been considered and documented.

Pages 33 and 34 are unreadable in the downloaded document.

Page 35 Paragraph following **Standard Removals** - As mentioned earlier, “Standard” should be replaced with “non-emergency.”

Page 35 following item 4a and 4b in exhibit 4 – It is not clear **who** incurs the additional costs.

Page 36 following **Programmed Tree Removal** –This section seems to justify the 2021 initiative to remove all of certain species of trees that resulted in the process to review the Tree Policy and Guidelines Manual. I don’t understand why tree removals under this paragraph are not covered under Non-emergency removals.

Page 45 Paragraph following **Raised Grades**– The ISA BMP for Soil Management, Second Edition states on page 43 that “research has found little benefit from vertical mulching”.

Page 46 Paragraph following **Diseased Tree** in the glossary – Many conditions can cause “a deviation in normal functioning that are not associated with a pathogen. Without a differential diagnosis of a pathogen, the conclusion that the tree is “diseased” is inappropriate and can be misused. I suggest removing this from the glossary. I suggest adding **Programmed Removal (but I am suspicious of this category!), Emergency Removal** and **Non-emergency Removal** to the glossary.

General comments:

The policy manual needs to contain a description of the contents of periodic reports of tree removals (quarterly reports?) to the tree committee. The categories of removals reported must be **consistent** with the categories listed in this manual.

To document removals, the revised manual should contain a standard form that describes subject trees, the condition that make removal advisable, and the reasons for rejecting possible alternatives to removal. This manual should indicate how long the

forms are to be retained and where the public can have access to the them.

Documentation and public access are essential. An example of such a form is on the last page of this critique.

There are far too many categories of tree removals described in the Manual. I noted the following:

- Programmed removals
- Standard removals
- Emergency removals
- Timely removals

None of these are included in the glossary. I recommend simplifying it to two categories, Emergency Removals and Non-emergency Removals.

The use of consulting services offered by companies that contract with the City to perform physical arboriculture services invites a conflict of interest and must be avoided.

Public disclosure of impending tree actions being of the utmost importance, I have a proposed form on the last page of these comments.

Frederick Roth, Ph.D.

ISA arborist certification WE161

SAF Certified Urban Forester

ISA Qualified Tree Risk Assessor

# TREE REMOVAL DISCLOSURE FORM

Species \_\_\_\_\_

DBH \_\_\_\_\_

Location \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_

Emergency \_\_\_ non-emergency \_\_\_ (check item)

Authorized Employee's Name \_\_\_\_\_

Tree  
condition \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Reason for planned  
removal \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Alternatives to removal that were considered and reasons for rejection

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_  
\_\_\_\_\_

4. \_\_\_\_\_  
\_\_\_\_\_

5. \_\_\_\_\_  
\_\_\_\_\_

6. \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

**Jeremy Swan**

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**From:** Drew Ready [REDACTED]  
**Sent:** Monday, July 8, 2024 5:23 PM  
**To:** UFMP  
**Subject:** Tree Manual Update Public Comment

For the City to ask for public input during its many community meetings and then focus on City liability and safety concerns in its draft changes to the document, leaves many of us feeling that the Community Services Department has been disingenuous about their desire for robust public input.

While the summary of changes captures the reason for proposed changes, it doesn't share what the changes to the text are. Excluding the exact changes to the text requires the public to compare the draft with the current document to find what changes were made. To do so in a timely manner would require software. Most community members won't make this effort, yet public input on these changes is essential for real improvement and buy-in.

To this end, I request that the City provide a redlined copy of the manual so we can see the exact language that is being proposed to be changed, schedule a public meeting to discuss the impetus for these changes and the reason for not taking into account the many community recommendations, and provide additional time for a more thorough review and public comment.

Drew Ready



Jeremy Swan

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**From:** [REDACTED]  
**Sent:** Monday, July 8, 2024 11:58 PM  
**To:** UFMP  
**Subject:** Public Comment re final draft Claremont Tree Policies and Guidelines Manual

Public Comment re:  
final draft Claremont Tree Policies and Guidelines Manual:

The revised final Draft Tree Policies and Guidelines Manual does nothing to address the urban forest management and tree care implementation and process issues that provoked the City's hiring of a consultant to revise the manual.

Specific to this public comment period, and what will likely be a dearth of comments— which does not reflect the level of community concern for and support for our urban forest— it should be noted that there has been no general notification announcing the existence and availability of the final draft or regarding the public comment period.

Now, the first draft to which the public has access or input is already the final draft, so not motivating to community engagement.

A few people were informed about the draft and public comment period in an email, in response to a group letter they submitted to Jeremy Swan. But there was no notice sent to the Community Services urban forest/tree interested parties list (I am on the list, have been very active and vocal, and I received no notice of the posting of the draft or the public comment period.), no notice in the local papers, no notice on the City website except on the Trees page that is not evident that it even exists from the home page. The only mention was Page 2 of the 6/6/24 City Manager's weekly report, not even included in its contents list on its page 1.

The final draft was not presented as an agenda item to the Sustainability Committee or the Community and Human Services Commission, whose meeting instead was cancelled for "lack of business."

The Community Services process throughout has ignored, trivialized and/or misrepresented the concerns raised by the public at meetings in oral and written public comments, and in discussions and written communications directly with staff. And obfuscated about the actual original source of this effort, the recommendation by Jeremy Swan, dated 2/13/23, of mass tree removals of three species, Italian Stone Pine, Red Ironbark Eucalyptus, and Canary Island Pine, based on a level one assessment by West Coast Arborists, the City's contracted tree care company.

linked here:

[https://drive.google.com/file/d/1ZfauCfl52q\\_05hfsEAnkMX0ls09xKJAo/view](https://drive.google.com/file/d/1ZfauCfl52q_05hfsEAnkMX0ls09xKJAo/view)

It's not that the small proposed changes in the draft Manual might not improve the process, but that the existing version of the manual already contained enough information to prevent Jeremy Swan's previously proposed mass removals of Italian Stone Pine, Red Ironbark Eucalyptus, and Canary Island Pine (and withdrawn after public outcry and the critique of both the rationale and data by Dr. Fred Roth, PhD, ISA arborist certification WE161, SAF Certified Urban Forester, ISA Qualified Tree Risk Assessor).

linked here:

[https://drive.google.com/file/d/1LVJc1qTckC8QZAAQ\\_IRyHk8NgT2r7udl4/view](https://drive.google.com/file/d/1LVJc1qTckC8QZAAQ_IRyHk8NgT2r7udl4/view)

The problem has been— and is—with our process and implementation of the already excellent and visionary adopted policies of the City’s Urban Forest Management Plan, Tree Policies and Guidelines Manual, and related General Plan Goals and Policies— all of which provide for what should and could be an authentically robust and wise stewardship of our urban forest and protection of its contributions to our community.

The revised manual still limits all decision making to the Community Service department and staff (and Engineering Dept. regarding sidewalk interface), with no oversight or shared input or recommendation from Community Development Department, which is responsible for implementation of numerous General Plan Goals and Policies listed in the manual, or Sustainability Committee, or any agency outside of the Community Services Department.

The Tree Committee, especially since it is a subcommittee of community members drawn to the Community and Human Services Commission, has no expertise or meaningful role, only receiving and approving reports and recommendations of staff, whose focus is sidewalk and street maintenance and risk avoidance— and from whose perspective, it is true and efficient that by removing the tree, they protect the sidewalk and access to it— and not messy (a cause cited in JSwan’s 2/13/23 recommended removals), no falling limbs or private property damage, etc. No tree= no more problem.

The draft does not reflect the recommendations of the City’s adopted Urban Forest Management Plan, including inter-departmental input and decision making, and which cites the numerous goals and policies beyond sidewalk management that are required for tree care in the context of urban forest stewardship.

According to the draft, the decisions will be by a City arborist or outside arborist, which therefore could be just the City’s own

contracted tree management company, West Coast Arborists—without addressing the community's first concern that the West Coast Arborists both recommends re tree removal and benefits as it is contracted to do the removals, usually provides replacement trees from its own nursery and sells the harvested wood from removals.

That potential conflict of interest has been a concern from the beginning.

The manual should address how to have qualified opinion beyond what is called for in current draft, in which analysis and recommendations potentially can all be made by the City arborist (with entry level certification) or arborists from the same contractor who benefits from removals— with no requirement for a third party outside consultant.

Claremont's Community Services Department used to, but does not, include an qualified and experienced urban forester or any staff whose background is in urban forest municipal management. This should be accounted and compensated for by requiring outside expert opinion and multiple party sign-off before the fact, not just an accounting of already removed trees.

The Tree Committee is the only citizen body to have any input into the tree care. Their input should be prior to the fact of removals, not just accounting after.

There is no way for a citizen of Claremont whose passion and/or expertise is for trees and our urban forest to apply and serve directly on the Tree Committee— only by serving on the Community and Human Services Commission.

Those who serve on the Tree Committee are there because of their interest and efforts as commissioners re community and/or human services.

The tree committee members are assigned from the Community and Human Services Commission, expertise or central interest in trees or urban forest— or even attendant concerns of sustainability, ecosystem (birds, etc), or community development—neighborhood character and design, etc.

The manual should address the need for a Tree Committee of those who are qualified and highly interested in serving regarding trees/urban forest.

The draft Manual prioritizes ADA requirements for sidewalk access, which is not just legally required but an important community value. But the process is not spelled out well enough to provoke creative solutions that protect trees as much as possible from undue trimming of branches or roots or from removal. Who has the circumspect insight and creativity, especially in the absence of input from the Community Development Department, including planning and architecture staff and commissions.

The draft Manual asserts trees can be removed if the value of repair and maintenance exceeds that value of the tree. Every point I have raised in my comments above apply to my concern regarding this criterion/protocol. Who determines the alleged value of the tree, beyond the Community Services Department and West Coast Arborists/ How is value determined regarding the trees' contribution to ecosystem, shade, cooling, beauty, neighborhood character, historic preservation, the added property value to the surrounding private properties, etc?

And just because it costs more to maintain than to remove a tree should not in itself be justification for removal. What about the economic and environmental cost to the community from the years of lost value of the removed tree while a replacement sapling tree matures enough to have comparable value to the tree that is removed?

The draft Manual does not address the process, implementation and oversight shortcomings that define our current status of tree/urban forest management, and does not reflect the findings and recommendations of the City's Urban Forest Management Plan.

The City would be wise to hire Dudek or similar to do the job that is actually needed: review and revision/update of the Urban Forest Management plan— and it's full integration into the implementing tree policies manual, full analysis of how to restructure our processes and procedures to reflect all relevant General Plan Goals and Policies, including consideration of the precedents of past practices— such as full engagement of the Community Development Department, returning the Sustainability Committee to the jurisdiction and staff of the Community Development Department, creation of an authentic Tree Committee— perhaps including members of the architectural and or planning commission, and/or Sustainability Committee, and including the opportunity for community members to serve directly only on the Tree Committee— with members and staff who have expertise and commitment to trees and to the whole of our urban forest.

And at the very least, redesigning our process to require adequate input, and oversight of policies and procedures to allow solutions for sidewalk interface issues, ADA access, and affordability of our community services in coordination and cooperation and integration with the Community Development Department and interested

community members. And somehow create a meaningful and responsive communication with the public and respectful attention to community concerns and input.

The draft Manual policies will not address the issues of the status quo that brought us to this moment.