

Monday, June 4, 2018

Mayor Don Tatzin
Vice-Mayor Cameron Burks
Council Member Mike Anderson
Council Member Mark Mitchell
Council Member Ivor Samson
3675 Mount Diablo Boulevard, #210
Lafayette, CA 94549

RE: *Support for Save Lafayette Trees* (opposition to PG&E tree removal proposal)

Honorable City Council Members,

Lindsay Wildlife Experience (LWE) works to secure protections for wildlife by engaging with key policymakers at the local, regional, state, and federal levels. LWE regularly provides public comments, testimony, and similar input to such bodies in furtherance of our mission of connecting people with wildlife and protecting the healthy habitats on which it depends. On behalf of nearly 5,600 members, staff, and volunteers of Lindsay, I write to express our support for *Save Lafayette Trees*.

As discussed in greater detail below, we are gravely concerned that the proposed removal of nearly 272 trees in Lafayette and more than 200 trees in Briones Regional Park, the majority of which are considered heritage trees—that is, large trees with unique value and which are considered irreplaceable, based on age, rarity, size, aesthetic, botanical, ecological and/or historic value. Removal of these and other trees—many of which are ecologically critical oak species—will significantly impact wildlife and healthy oak-dominated savannah and woodland ecosystems on which they rely for food, shelter, refuge, mating, nesting, and migration.



Mature tree species of this largely oak savannah (i.e., less than 25% open canopy cover)/oak woodland (25-50% open canopy cover) forest type is an important component of regional biodiversity, upon which wildlife species are critically dependent, and which features a high degree of habitat specialization by bird species.¹

Urban and Community Forests

In addition to the additive benefits and values of trees within a complex social-ecological system composed of different spatial elements, trees in urban landscapes (i.e., as opposed to rural environments and/or undisturbed forested ecosystems) provide a variety of quantifiable and intangible benefits to inhabitants of suburban and urban areas.

Quantifiable benefits include increased property values, storm water reduction, ambient cooling, carbon sequestration, energy savings, soil erosion prevention and air pollution mitigation.² Lafayette residents may be interested to learn that a mature tree (generally defined as 10 years or older) can often have an appraised value of between \$1,000 and \$10,000, according to the Council of Tree and Landscape Appraisers. Having large trees in yards along streets increases a home's value from 3 to 15%.³ Intangible benefits (i.e., those which are inherently difficult to quantify) include aesthetics, health and well-being, perceptions of safety, and wildlife habitat. A growing body of research finds that trees and community forests within urban environments are vital to residents' collective sense of contentedness, health, and sense of sustainable development⁴.



Suburban forested areas have extraordinarily high value because of recreational demand and high affinity for them by residents. Most of the values attached to urban forests are the intangible, 'priceless' benefits that include an aesthetically pleasing landscape, ecological balance (perceptual or actual), pollution control, climatic and physical benefits, potential recreational value, and sense of peace and tranquility.²

Increasingly high levels of urbanization and development in Contra Costa County have the effect of causing residents to feel mentally and physically exhausted, anxious, and stressed. Thus, they need more clean air, peace, and recreation. Forested areas and green spaces are more than the proverbial 'lungs of the city'; they affect human health and well-being in a variety of ways, such as active lifestyles, improved well-being, and emotional and physical health.²

Perhaps more than tangible benefits, these and other intangible values need to be given greater consideration by Lafayette City Council members and PG&E prior to rendering decisions related to utility maintenance, natural resource management, and land development. Collectively, these comprise the quality of life issues that impact residents on a daily basis and which influence citizens' voting and consumer decisions.

Direct and Indirect Impacts to Wildlife

Millions participate in wildlife-oriented activities annually in California, as sportspersons, wildlife watchers, and through secondary outdoor recreational opportunities such as hiking, camping, running, biking, etc. A large portion of days for those enjoying wildlife are spent relatively close to home, and wildlife-related activities are primarily associated with urban forests, woodlands and savannahs. Individual trees forming the structural foundation of urban and community forested resources are the core of these endeavors.



Mature, large-diameter trees are the most important structural elements for birds and small mammals in oak-associated habitats. These trees produce more acorns and have disproportionately more cavities that are used as roosts and nest sites by numerous species of birds and mammals. Older trees support a great diversity of nonvascular plants (e.g., bryophytes, lichens, mosses) and invertebrates (e.g., insects, spiders, and soil invertebrates) which in turn convert sunlight, carbon dioxide, and mineral nutrients absorbed by oak trees into food for

many birds, reptiles, amphibians, and mammals. The Pacific White-Breasted Nuthatch is particularly adapted to gleaning insects from the deeply fissured bark, which only occurs on mature oaks, redwoods, and hardwoods.

Acorn ('Mast') Production – A Critical Source of Wildlife Food

The production of acorns ('mast') is an important feature of oak trees for many bird and small mammal species. Acorns have high caloric content and can be a critical food source for birds such as Band-tailed Pigeons, Wild Turkeys, Acorn Woodpeckers, and mammals such as Eastern fox squirrels and deer during fall and winter, particularly when alternative food sources are scarce. Species that cache acorns in the ground, such as the Western Scrub-Jay, and those that drop acorns in transit to cache them in trees such as the Acorn Woodpecker and Oak Titmouse, act as seed dispersers for future oak trees. Reducing or entirely eliminating acorn production as a result of tree loss or compromised ecological stability of acorn-producing trees will negatively impact populations of these and many other species in the long-term.

Tree Cavities – Important Nesting Sites

The availability of dead portions of otherwise live, healthy trees is the most limiting factor to populations of cavity-nesting birds, which as a group comprise between 25–30% of the breeding bird species composition in oak-dominated habitats, but often more than 50% of the individuals⁵. Oak trees support significantly more cavities than conifer trees.⁶ In fact, most decaying wood available to birds in oak habitats exists in dead

branches of healthy, living oak trees. Secondary cavity-nesting birds such as Flycatchers and Chestnut-backed Chickadees take advantage of natural and/or abandoned cavities in oaks left by Acorn Woodpeckers. Additionally, arthropods that dwell in decaying wood of cavities, such as carpenter ants, termites, and beetle larvae, serve as a primary food source for many bird and mammal species.

Healthy Ecosystem Structure and Function

One of the most characteristic features – and important habitat components – of open-growth oak-dominated, mixed-hardwood habitats is their mushroom-shaped branch architecture with extensive branching and foliage (bending) toward the ground. This branch architecture provides cover from harsh environmental conditions and refuge from predators, and extensive foliage and surface area for foraging and nesting for birds such as Goldfinches, Gnatcatchers, and California Towhees, as well as arboreal mammals such as Eastern fox squirrels. Additionally, unique perching opportunities for large birds (e.g., American Crows, Steller's Jays, Turkey Vultures) including raptors (Barn Owls, Great Horned Owls, Red-tailed Hawks, White-tailed Kites, and Swainson's Hawks, among others) exist as a result of this unique branching structure.



Data on habitat associations between trees and wildlife (e.g., canopy cover, tree size, etc.) should be used to determine management objectives for the proposed removal sites in Lafayette and Briones Regional Park. Secondly, the richness (number of species), diversity (apportionment among the number of species), and density (number of individuals per unit area), should be used as objective metrics upon which to determine and monitor anticipated impacts associated with tree removal. These metrics can be used to predict changes in species populations in response to PG&E's proposed tree removal activities.

Compensatory Mitigation of Direct Impacts to Wildlife

Lindsay's wildlife hospital is the first and one of the largest of its kind in the United States. We are open every day of the year and provide life-saving veterinary care, treatment, and rehabilitation for between 5,500-6,000 injured, sick, and orphaned native California wildlife patients. Wild animals do not have health insurance. Consequently 100% of the costs associated with providing life-saving medical care and rehabilitation relies on the generous, compassionate support of thousands of individuals who care deeply about wildlife and the healthy California habitats on which it relies. As you may imagine, providing a second chance at life for vulnerable wildlife requires an army of compassionate people — citizens who live in all corners of the East Bay region.

Approximately 350 volunteers donate more than 65,000 service hours annually in Lindsay's wildlife hospital.



To the best of my knowledge, no plan exists for PG&E and/or the City of Lafayette to provide compensatory mitigation to offset inevitable direct and indirect impacts to wildlife associated with the tree removal proposal. *Will small nonprofit organizations like Lindsay be expected to absorb potentially significant costs associated with treating injured, orphaned, or otherwise vulnerable wildlife that are brought to our facility by caring Good Samaritans as a result of PG&E's tree removal proposal?* If so, this certainly would appear askance and

indefensibly unjust and I am certain that your constituents will vigorously object.

I respectfully request that a mitigation plan, including compensatory mechanisms, be immediately identified and agreed upon between and among interested stakeholders and developed in conjunction with the California Department of Fish and Wildlife (CDFW) and US Fish and Wildlife Service (USFWS). A transparent process for developing a mitigation plan would include participation by impacted organizations (including Lindsay Wildlife Experience), Civil Society, and private citizens. A promulgated compensatory mitigation plan should be developed, with agreed-upon processes and outcomes, prior to PG&E implementing tree removal operations.

Successful models of collaborative partnerships between utility companies, resource agencies, and conservation organizations that address best practices and establish standards for wildlife/utilities interactions associated with construction, maintenance, and operation of utilities infrastructure have been established throughout the United States. One such partnership is the *Right of Way Stewardship Council*, founded in 2012 by utility companies, The Nature Conservancy, the U.S. Environmental Protection Agency, and other organizations. One of the goals of this collaboration is to establish a framework for providing compensatory mitigation for direct and indirect impacts to native wildlife. I respectfully request that PG&E, together with the City of Lafayette, investigate and adopt this or similar models.

Proposed Actions

The most current timeframe associated with the removal of hundreds of trees in the proposed impacted area has been given as "Summer of 2018". Many species of birds and small mammals nest between March 1 and August 31. The California Department of Fish and Wildlife often requires surveys for raptor (bird of prey) nests from January 15 to September 15. Several species court and nest outside this time frame, such as some herons and egrets, many raptors, and most hummingbirds. Depending on the species, nesting birds may be found at any time of year. Lindsay opposes the proposal,

as currently presented, but recognizes the probability of the project continuing unabated. Consequently, I respectfully request that at the very least, PG&E seriously consider an alternative schedule in order to significantly reduce impacts to vulnerable wildlife. This may be accomplished by timing tree removal such that these operations avoid nesting season altogether — preferably November through December. Regardless of when tree removal operations are performed, crews should be accompanied by a qualified field biologist who will carefully inspect the tree and surrounding habitats for signs of active nest or den sites and wildlife activity prior to removal.

To my knowledge, there has been no systematic, comprehensive effort by PG&E to assess wildlife species conservation status, distribution, density, habitat relationships, and potential responses to tree removal. Data generated from such an assessment should serve as a basis for sound decisions that support flora/fauna conservation in the context of utilities management activities in the proposed corridor comprising Lafayette and Briones Regional Park.



Lindsay Wildlife Experience opposes the removal of nearly 272 trees in Lafayette and more than 200 trees in Briones Regional Park, the majority of which are considered heritage trees. For reasons stated in this letter and many others, we respectfully request that PG&E immediately cease and desist plans to implement its proposal, pending the outcome of an objective, third-party assessment of the impacts of large-scale tree removal on wildlife, ecosystem structure and function, and regional biodiversity.

I sincerely thank you for your leadership and urge you to resist efforts to expedite the implementation of this proposal by PG&E. If you would like to discuss this matter with further, I can be reached by phone at (925) 627-2919 or via email at cmccormick@lindsaywildlife.org.

Sincerely,

A handwritten signature in blue ink that reads "Cheryl M. McCormick". The signature is written in a cursive style.

Cheryl M. McCormick, Ph.D.
Executive Director
Lindsay Wildlife Experience

Cc: Vick Germany, AICP
Senior Land Planner
Pacific Gas and Electric Company

Literature Cited

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