

Attachment 'E'

RE: 1524 Tree Removal Facts – by Mindy Mann

On July 26, 2023, I wrote a letter to Stephen Duprey at Urban Forestry to ask him to investigate the removal of 2 Sycamores without permits at 1524 Benedict Canyon. I had already reported the removals to Jarrett Thompson the day that they were removed on May 21st. I happened to be driving down Benedict Canyon just as the tree trimmers had completed cutting them down. They were standing with chainsaws in their hands beside a pile of cut branches as well as large pieces of trunk. I pulled over across the street, took photos and spoke with them. They called their boss for me, and we spoke on the phone. I asked if the trees were Sycamores and if he had permits. He reported that he was just following the orders from the owner who directed him to cut them down.

In my letter to Mr. Duprey I voiced my concern that other protected trees might have been removed and that I was concerned that the remaining protected trees on the property might either be damaged during grading or ultimately be removed. I sent him 2 zip drives – one containing the photos I took the day I observed that the trees had just been cut down and another showing the remaining mature Oak and Sycamore that were not adequately protected. I asked him to let me know if he had any questions or needed further information.

I received a response that urban forestry was looking into the matter and never heard anything further. To my knowledge, no action was ever taken against the property owner. The property owner has denuded much of the hillside and has done some extensive grading. It appears that the project has come to a standstill over the past few months. The information I was given months later through CD5 indicated that urban forestry had difficulty finding the location where the trees were removed.

After very little activity at this property over the past few months, I was alarmed on March 7th when I drove past 1524 Benedict on my way to an appointment and noticed tree trimmers loading what appeared to be large Oak branches into the back of the truck parked in front of the property. I was late and couldn't stop to investigate. I drove past again on the 10th and saw that an old Oak had indeed been removed but wasn't able to return and take photos until March 14 and 15.

I had never received a notification for a request to remove this tree and couldn't find a permit on-line. I called 311 and filed a report for an illegal Oak removal - the case # was 1-4693003581. I took photos of the tree stump and the cut trunk which was lying beside it on the hillside. I am attaching the photos that I took of the stump, the cut Oak trunk, and what appears to be firewood that was cut from the smaller limbs of the tree. You can see the red netting on the ground that the owner had erected at one point to "protect" the tree.

I sent a letter to Haley at CD5 on March 15th and included all this information, including the information about the Sycamore removals. Haley responded that she would make inquiries and follow up with Urban Forestry. At some point Haley indicated that urban

forestry had explained that they had looked into the Sycamore removals, but ran into problems finding the location where the trees had been removed.

On March 28 I received a response from the City regarding my 311 report. It indicated that the file had been closed because the property owner had obtained a permit for the removal of the tree. I sent this information to Haley and asked her to look into this. I also contacted Joanne from CFAC. Apparently, the owner filed a tree removal request on February 3rd. The request was not forwarded to us by our Council Representative until the 6th. Due to some email glitch, we never received that request and never had the opportunity to respond. The next day the property owner proceeded to begin the removal of the tree.

I believe the system regarding the removal of the protected trees at 1524 failed in several ways.

1. The 2 Sycamores were removed without a permit. There was a witness to their removal, there are photos showing them just after they were removed, and there are Google images showing them before they were removed. The property owner should still be held accountable even if it is now almost a year later.
2. There needs to be a better system in place to ensure that the Council District/Neighborhood Council has adequate notification of all tree removal requests, and adequate time to respond.
3. The request for the removal of the Oak should not have been approved without a public hearing. The 2 Sycamores had already been removed and the request to remove the Oak made this the 3rd protected tree removal, thereby requiring a public hearing.

Given this background, I would like to request that the Bureau of Street Services (BSS) investigate the notification process and permit issues for the removal of a protected tree at 1524 Benedict Canyon after two protected trees apparently were previously removed without permits.

NOTE:

If you look at the Google image from November 2023, you can see the image of the Oak behind the house before the Oak was removed. The same is true for the Sycamores. If you look at the Google image from August 2022, you can see the Sycamores before they were cut down (you need to move the Google camera north towards the corner of the property at Clearview).