


Date: July 24, 2023

To: Thomas B. Modica, City Manager 

From: Eric Lopez, Director of Public Works 

For: Mayor and Members of the City Council

Subject: **Citywide Street Tree Replacement Program and Updated Tree Maintenance Program**

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On April 20, 2021, the City Council requested the City Manager to work with all appropriate City of Long Beach (City) departments to prepare a report on establishing a Citywide Street Tree Replacement Program. City Council asked staff to identify standards and streamline processes to maintain the City's urban forest to address growing concerns over tree removal without a uniform plan for replacement. While current City tree planting programs exist, there has been no dedicated replacement program with identified budgets and timelines, especially when the City removes trees during required maintenance of City infrastructure, and implementation of Capital Improvement Plan Projects (CIP projects).

On June 1, 2021, the City Council also requested City staff to update the policies and procedures related to the City's Tree Maintenance Policy and expand on urban wildlife, including nesting birds and inspections by trained biologists.

This memorandum focuses on addressing both requests and the following items:

- Current processes for tree plantings and removals by applicable City departments
- Proposed improvements to current processes to effectively maintain the City's urban forest and heritage trees of historical significance, unique character, or community benefit
- Challenges and strategies related to planting replacement trees by the City on a one-to-one basis
- Updates to the City's 2006 Tree Maintenance Policy
- Feasibility and costs of establishing and funding a Citywide tree planting and watering program independent of CIP projects
- Feasibility and costs of establishing a program to pro-actively inspect trees scheduled for trimming or removal to detect urban wildlife
- Additional city policy and program efforts aimed at establishing and expanding the City's urban forest

## **Tree Inventory**

The City has approximately 90,000 trees and 45,000 vacant tree sites on City streets and sidewalks. The Public Works Department requires its tree maintenance contractor to manage a computerized tree inventory system capable of uploading historical data compatible with the City's web-based Cityworks program. The system can keep track of tree trimming, removals, plantings, or emergency response work that occurs at any tree site.

Additionally, the Parks, Recreation, and Marine Department (PRM) is responsible for roughly 36,000 trees in over 169 parks.

## **Tree Removals**

Generally, street trees are removed by the Public Works (PW) Street Maintenance Division if it meets specified criteria. The criteria assess if a tree is dead, dying, diseased, uprooted, damaged, in danger of falling, damaging vital infrastructure, or where tree root-damaged sidewalks and curbing cannot otherwise be safely corrected. The same criteria are applied for street tree removal as part of CIP projects related to streets, sidewalks, bridges, and other public right-of-way infrastructure. PW estimates it removes 1,000 to 1,100 street trees per year. Previously, trees were not automatically replaced when removed as part of maintenance activities or CIP projects; however, staff is committed to, and has made major progress in the effort to replant trees on a one-to-one basis.

## **Tree Planting Opportunities**

Conservation of the City's over 100 variety of street trees requires collaboration between the City and its property owners and residents responsible for their maintenance. Various City departments are involved in tree planting, conservation, and maintenance. Departments either focus on establishing new planting areas to enhance the City's urban forest or on tree maintenance and removal to maintain public health and safety and improve public infrastructure.

### *Public Works*

Residents interested in planting a street tree within the public right-of-way can apply for a tree planting permit and select a tree from the city-approved list available on the PW website. To streamline the process and promote transparency, PW plans to add links to the City's Tree Maintenance Policy and additional tree planting resources from other departments.

### *Office of Climate Action and Sustainability*

The Office of Climate Action and Sustainability (OS) oversees a tree planting program to support the City's urban forest growth. Through the program, residents can request a tree planted in their parkway and/or a fruit tree planted in their front yard at no charge. Application information is located on the OS [website](#).

Currently, the program facilitates approximately 230 tree plantings annually and has a six-month wait list for plantings. Soon, the program aims to double its tree planting capacity through funding from the State's Assembly Bill 32 (California Global Warming Solutions Act of 2006) program.

### *Development Services Department*

The Development Services Department Housing and Neighborhood Services Bureau (HNSB) tree planting strategy is similar to the OS's strategy, with most funding provided by Cal Fire and the Port of Long Beach. Funding also allows for the cutout of parkway and sidewalk concrete to establish new tree wells. Neighborhood groups or community organizations utilize HNSB tree planting funds for planting events under the *I Dig Long Beach* program. On average, eighty percent of trees planted by HNSB must be in disadvantaged communities. The tree planting and maintenance community approach is intended to foster community pride, connect residents, and can build skills for job growth. Each event has been generating between 50 and 100 plantings. The process to request a tree planting from HNSB is as follows:

- Request is made to HNSB by a neighborhood or community group
- Requestor signs maintenance agreement to water trees for one year to ensure survival and establishment through the summer season
- Planting is scheduled
- HNSB provides tree planting supplies (e.g., trees, buckets, stakes)
- Requesters organize volunteers to plant the trees

### *Public Works – Capital Improvement Plan (CIP) Projects*

As part of CIP projects, PW estimates removing 300 street trees annually. While the Department's previous policy did not require immediate tree replacement when removed as part of CIP projects, PW has begun implementing a one-to-one tree replacement requirement for CIP projects. The policy requires tree removal only if replacement is feasible without significant challenges. PW is incorporating this policy into the City's standard construction documents. This requirement is also included in the updated PW Tree Maintenance Policy (TMP). While this will increase the cost of delivering projects, increases are anticipated to be minimal.

### *Public Works – Annual Maintenance*

Public Works estimates it removes approximately 700 to 800 street trees annually as part of maintenance activities. PW is committed to the goal of planting replacement trees on a one-to-one basis, subject to feasibility and constraining challenges. When replacement is not feasible at the exact location of an impacted tree, staff will plan the replacement at another empty tree well or within a city park.

*One-to-One Replanting Policy Challenges*

As a Citywide strategy, implementing a one-to-one tree replacement goal within the CIP and annual maintenance programs greatly benefits the urban forest but is not without challenges. City staff has identified the following challenges as part of this effort:

1. Drought conditions and disease
2. Resident objection and lack of support
3. Site specific constraints
4. Maintenance requirements

Resident opinions widely differ on tree maintenance in the parkways they maintain. Some residents do not want a tree and the associated watering responsibility. This feeling is not often shared with those receiving tree planting from the OS since tree recipients under their program are requesting them. Residents receiving trees in their parkways without requesting them may see the tree as a liability due to the watering need or perceived visual impact. Neglect and lack of proper maintenance will offset the benefits of tree planting and replacements.

In addition, water costs and supply, site conditions, inadequate funding, and limited resources to maintain the City's urban forest pose challenges to uniform tree replacement on a one-to-one basis. Below is a summary of the primary challenges and recommended strategies to address each challenge.

<b>CHALLENGE</b>	<b>STRATEGY</b>
Resident objections	<ul style="list-style-type: none"> <li>• Outreach program to educate and motivate residents to understand the City's goals and the benefits of healthy trees to enhance properties and communities. Collaborate with non-profit organizations for resident education.</li> </ul>
Site constraints	<ul style="list-style-type: none"> <li>• Central coordination of all planting programs for City maintenance/inspection review and planting approval</li> <li>• If all site assessment requirements cannot be met, a new suitable location must be determined to align with the one-to-one planting strategy</li> <li>• Move overhead power lines underground</li> </ul>
Quality and uniformity of tree maintenance and resident responsibility	<ul style="list-style-type: none"> <li>• Provide residents with watering and tree care instructions</li> <li>• Utilize Conservation Corps of Long Beach to assist with tree maintenance</li> <li>• Explore Workforce Development summer programs as a potential resource</li> </ul>
Drought conditions/water costs	<ul style="list-style-type: none"> <li>• Utilize drought-tolerant tree species</li> </ul>

	<ul style="list-style-type: none"> <li>• Increase efforts for residents to commit to water new trees for the first 1-2 years, and educate residents on efficient water practices</li> <li>• Plan more recycled water systems</li> <li>• Upgrade irrigation systems</li> <li>• Employ Green Streets initiatives</li> <li>• Potential modifications to conventional infrastructure to enable stormwater to infiltrate parkways and tree wells</li> </ul>
Limited City resources	<ul style="list-style-type: none"> <li>• Utilize Conservation Corps of Long Beach to assist with tree maintenance</li> <li>• Explore Workforce Development summer programs as a potential resource</li> <li>• Utilize tree maintenance contractor for watering and to maintain tree inventories</li> <li>• Upgrade irrigation systems</li> </ul>
Inadequate funding	<ul style="list-style-type: none"> <li>• Research grant opportunities</li> <li>• Include tree planting scope in new CIP projects and federal grant applications</li> <li>• Make a separate funding request to City Council for tree replacements as part of annual maintenance and CIP projects</li> </ul>
Tree data/inventory management	<ul style="list-style-type: none"> <li>• For future tree maintenance contracts, require the contractor to manage a computerized tree inventory system compatible with the City's historical Cityworks program</li> <li>• Add watering responsibilities and schedules to the inventory, record-keeping system</li> <li>• GIS utilization to enhance process; create dashboards</li> </ul>

**Tree Maintenance Policy Updates**

The original TMP was developed in 2006 and included guidance on tree maintenance, planting, removals (both public and private), infrastructure damage and hazardous conditions, and tree conflicts. City staff has prepared a 2022 update (Attachment) to include guidance for urban wildlife, bird nesting seasons, Coastal Zone requirements, and reporting. The goal of the update is to improve awareness and the City's environmental stewardship and compliance and promote a healthy urban forest.

*Coastal Zone Requirements*

The updated TMP will address Coastal Zone requirements by specifying that the trimming or removal of any tree must comply with all applicable codes or regulations of Local Coastal

Development Permit (LCDP) #21-015, Coastal Development Permit #5-08-187, the California Coastal Act, California Department of Fish and Game, U.S. Fish and Wildlife Service, and the U.S. Migratory Bird Treaty Act. An annual monitoring report will be prepared for all tree removals and replacements within the Coastal Zone.

*Tree Trimming or Removal During Non-Breeding and Non-Nesting Season (October through December)*

Tree trimming or removal scheduled during the non-breeding and non-nesting season (October through December) requires a qualified biologist or ornithologist to conduct a tree survey to detect bird activity and prepare a report for submission to the City. City crews and contractors are not allowed to conduct any tree trimming or removal in the Coastal Zone until the report is provided to the City and the City subsequently issues a Notice to Proceed.

*Tree Trimming or Removal During Breeding and Nesting Season (January through September)*

When tree trimming or removal activities are necessary during breeding and nesting season, the updated TMP will provide guidelines to follow. The guidelines require a qualified biologist or ornithologist contracted by the City to survey trees scheduled for trimming or removal. The survey will detect bird activity or nesting behavior within 300 feet of the work area. A report with the findings will be submitted to the City to prepare a tree trimming or removal plan consisting of:

- Description of how work will occur
- List of non-mechanized hand tools needed to complete the work
- Limits of tree trimming and removal established in the field with flagging and stakes or construction fencing
- Steps to be taken to ensure tree trimming will be the minimum necessary to address health and safety risks while avoiding or minimizing impacts to breeding/nesting birds and their habitat

*Tree Removals in the Coastal Zone*

Tree removals in the Coastal Zone require an approved Coastal Zone permit. Before removing trees, Public Works will provide documentation to the Department of Development Services demonstrating compliance with any Conditions of Approval for approved Coastal Zone permits. All documentation will remain on file with Public Works and Development Services. Removing any breeding or nesting tree requires replacement at a 2:1 ratio and following the guidelines stated in LCDP #21-015.

*Reporting*

Any reporting generated by Public Works to survey trees for breeding and nesting activity in the Coastal Zone will be submitted to the Executive Director of the Coastal Commission,

Director of the Public Works Department, Director of the Parks, Recreation, and Marine Department, and a representative of the Audubon Society for review. Reports will also be logged in a City-maintained database as a record of breeding, roosting, and nesting trees. The database information will be available to the public upon request.

Additional surveys of trees in the Coastal Zone may be done annually during the nesting season by trained volunteers under the supervision of a qualified biologist, ornithologist, or recognized bird watcher (e.g., a representative from the Audubon Society). The additional survey information may be submitted as proof of nesting/roosting sites to the City for inclusion in the City's database. All nesting activity reports generated by volunteers must include time-stamped photos/videos showing nests, birds, and exact locations of trees per the City's tree database numbering. Public Works can provide a Nesting Reporting Form for volunteers to submit their surveys. Information will be subject to verification by a qualified person(s), and a site visit could be required.

**Costs**

To understand the budgetary impacts of proposed tree replanting efforts, staff developed the following estimates based on 800 annual tree replacements (costs will vary depending on tree size):

Annual Street Maintenance

Year	Annual Planting Cost	Annual Watering Cost	Street Maintenance Annual Forecast
1	\$240,000	\$41,000	\$281,000
2	\$240,000	\$134,000	\$374,000
3 and over	\$240,000	\$195,000	<b>\$435,000</b>

Total Annual Budget Estimate for Annual Street Maintenance in year 3 and beyond.

<b>\$435,000</b>
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Assumptions:

- Average planting cost per tree = \$300
- 90-day watering provided by maintenance contractor
- Watering cost per day at 40 trees watered/day/2-person crew = \$900
- 2-year establishment period per tree
- Resident watering participation at 50 percent

To understand the budgetary impacts of actual tree trimming and necessary removals, combined with biological inspections and wildlife reports/surveys, the following costs reflect past tree trimming expenditures and future anticipated costs.

Annual Grid Tree Trimming

Year	Number of Trees	Wildlife Surveys	Trimming Cost
2018 - 2019	22,055	0	\$1,533,574
2019 - 2020	24,386	7,752	\$2,731,393
2020 - 2021	20,289	36,821	\$1,865,065
2021 - 2022	17,173	479	\$1,900,402

**Urban Forest Enhancement Options**

Trees are vital to furthering green infrastructure, clean air, beautifying neighborhoods, increasing property values, and the City's sustainability. If additional funding is made available, the City can consider the following program options to optimize the City's urban forest:

- Policy
  - Develop strategies/policies for trees on private property
  - Develop programs for gifting by charities, private enterprises, and the public
- Maintenance
  - Improved Tree inventory management
  - Increase frequency of tree trimming in appropriate locations
  - Research and implement new strategies to better deal with pests and diseases
- Education and research
  - Conduct studies to determine which species most reduce stormwater runoff capacity
  - Further tree care education by partnering with agencies, departments, and the public
  - Enlist educational institutions to support urban forestry research and education
- Infrastructure
  - Leverage cooling effects to minimize the impact on infrastructure
  - Create new spaces for street trees and sidewalk gardens
  - Establish street tree nurseries
  - Maximize trees/landscaping in new streetscape designs
  - Increase use of recycled water to serve trees in parks and right-of-way
- Innovation
  - Deploy Light Detection and Ranging (lidar) mapping to identify the greatest need for tree canopy coverage



- Maximize carbon capture through strategic tree species selection and planting locations
- Incentivize innovation and commitment through recognition programs

### **Initiatives in Other Cities**

Cities nationwide have prioritized urban forest management to lessen the environmental impacts of mid to high-density housing. San Francisco and Los Angeles launched several effective initiatives, including:

- Creation of dedicated urban forest teams
- Implementation of required permit and approval protocols
- Utilization of development impact fees to replace any trees removed during development
- Development of long-term funding strategies

### **Options and Next Steps for Consideration**

Below are options and possible next steps to establish standards and streamline processes to maintain the City's urban forest and update policies and procedures related to the City's Tree Maintenance Policy:

- Establish and fund a citywide tree planting and watering program
- Secure funding for tree replacements for annual maintenance (approximately \$435,000 annually)
- Budget for a dedicated position to manage an expanded tree planting and urban forest program, e.g., Urban Forest Officer. (~\$180,000 annually)
- Increase focus on drought tolerant, carbon sequestration trees
- Prioritize tree water establishment periods to ensure tree health (first 1-2 years)
- Deploy Workforce Development programs to assist with tree stewardship
- Expand on partnership with Conservation Corps of Long Beach to augment tree planting and watering efforts and possibly provide tree care education to the public on the City's behalf
- Educate the public on the process of planting (or removing) a tree by adding links to the City's Tree Maintenance Policy and other departments' tree planting sites on the Public Works website
- Research opportunities to enhance tree management capabilities in GIS

These enhancements would be considered as part of the FY24 Budget process. Hopefully, this report meets the City Council's goals to have an updated written policy regarding the City's urban forest. If the City Council wants to propose any changes to the City staff policy, we would

ask for it to be placed on an agenda for discussion. Absent any further direction from the City Council, staff will finalize the policy and begin implementation in August 2023.

If you have any questions, please contact Eric Lopez, Director of Public Works, at (562) 570-5690 or [Eric.Lopez@longbeach.gov](mailto:Eric.Lopez@longbeach.gov)

ATTACHMENT: UPDATED PUBLIC WORKS DEPARTMENT TREE MAINTENANCE POLICY (2023)

CC: DAWN MCINTOSH, CITY ATTORNEY  
DOUGLAS P. HAUBERT, CITY PROSECUTOR  
LAURA L. DOUD, CITY AUDITOR  
LINDA TATUM, ASSISTANT CITY MANAGER  
TERESA CHANDLER, DEPUTY CITY MANAGER  
APRIL WALKER, ADMINISTRATIVE DEPUTY CITY MANAGER  
KEVIN LEE, CHIEF PUBLIC AFFAIRS OFFICER  
MONIQUE DE LA GARZA, CITY CLERK  
DEPARTMENT HEADS

CITY OF  
**LONG BEACH**

**PUBLIC WORKS DEPARTMENT**



**TREE MAINTENANCE  
PROPOSED POLICY**

July 24, 2023

**Public Works Department**  
**Tree Maintenance Proposed Policy**  
Draft 7/24/23

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# **Public Works Department Tree Maintenance Proposed Policy**

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## **1.0 Purpose**

### **1.1 Introduction**

It is the intent of the following provisions to recognize and underscore the importance of the trees, urban forest, environmental sustainability, and to preserve the trees of our City for future generations.

The purpose of this Tree Maintenance Policy is to provide guidelines to administer Section 14.28 of the Long Beach Municipal Code, to preserve and protect the community's urban forest, health and safety of City trees from the time they are planted through maturity, public safety, wildlife habitat and property.

Guidelines are included for planting, maintenance, and removal of street trees located in the public right-of-way (the area between the curb and the sidewalk known as parkways and median islands). This policy is intended to be used as a reference by City staff, citizens, and private contractors for tree-related decisions in the public right-of-way in the City of Long Beach.

## **2.0 Background**

### **2.1 Tree Maintenance**

There are over 100 varieties of street trees in the City of Long Beach. Each species requires different care; some trees require a two-year pruning cycle while others require an eight-year cycle. Immediate trimming may be required on some trees to protect public safety, while other trees are identified for trimming as time and resources allow. There are also several trees within the city that require special handling, for reasons including species, age, or proximity to buildings or power lines. Utility companies, under their franchise agreements, have the right to trim a City tree when it poses a hazard to their infrastructure.

The Public Works Department is responsible for trimming trees in the public right-of-way. Parks Recreation and Marine Department is responsible for trimming trees within public parks and marinas. Each year, City funds are budgeted for tree trimming services. Trims related to safety (tree limbs that interfere with safe passage of vehicles or pedestrians) are scheduled immediately. Other trims are scheduled as funds are available. All trees are trimmed in accordance with criteria set by the International Society of Arboriculture, the National Arborist Association, and the American National Standards Institute. This means that trees limbs are selectively removed to "air out" the tree to encourage good development and preserve its health, structure, and natural appearance. The City will not allow its crews or contractors to perform topping, heading back, stubbing, lion tailing, or pollarding, unless in very limited circumstances where recommended by a certified arborist and approved by a City arborist.

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If a property owner wishes to have a parkway tree trimmed sooner than the City can schedule it, they may request and complete an application for a Permit to Trim a Street Tree. The property owner shall be responsible for the tree trimming and for all related costs, including cleanup. A City-approved, licensed, bonded, and insured contractor must do the actual trimming.

Work performed on any City tree must be done according to City specifications. Topping, heading back, stubbing, lion tailing, or pollarding are prohibited. See section 14.28.040 of the Long Beach Municipal Code (LBMC) for more details.

## 3.0 Tree Removals

### 3.1 Street Tree Removal

The City recognizes the value and appeal of a viable urban forest and promotes not only the conservation but also the addition to the urban forest canopy in the constantly evolving and complex biological setting that the City landscape provides. The City recognizes that there is no perfect tree for all situations and that site conditions and community preferences, along with biological constraints, are all involved in tree selection and maintenance.

The conservation of City trees, especially those in parkways, is a collaboration between the City and its individual residents. Property owners and/or their tenants are required to care for and properly maintain their parkway trees and report any damaged or suspected diseased trees to the Public Works Department.

The City's priority is to correct situations that may call for removal of City trees. However, as trees and neighborhoods mature, removal and replacement may become necessary. In general, the City will only remove or allow removal of a street tree if it is dead, dying, diseased, uprooted, damaged and in danger of falling, or where severe tree root-damaged streets, sidewalks and curbing cannot otherwise be safely corrected. The City at its discretion reserves the right to remove trees to preserve life and property or address immediate risks to safety. The City will not allow removal of a tree solely because of leaf, flower, berry debris, or personal preference. The Director of Public Works or their designee is authorized to approve or deny all tree removal requests.

### 3.2 Removal Conditions

The determination of a tree's condition and removal will be made by a City-employed Certified Arborist. Removal of a street tree may be considered for the following reasons:

1. The tree is dead, dying, critically diseased or damaged beyond reasonable repair.
2. The tree is in danger of falling or uprooting.

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3. There is a recognized danger of falling or dropping limbs, which, combined with other factors such as high winds, makes corrective measures non-cost effective.
4. The tree is competing for light or space with adjacent trees that are more valuable because of their potential longer life, attractiveness, and/or hardier growth.
5. The tree is host to aggressive, life-threatening disease or pests that threaten to spread to other trees.
6. The tree is in decline and is estimated to have less than two years of life remaining.
7. The tree is damaging vital infrastructure such as a sewer line, water line, gas or electrical conduit, or is causing significant right-of-way or other structural damage and such damage could not be repaired without affecting the structural integrity of the tree or removing the tree.
8. The Director of Public Works or their designee has made the determination that the removal is required to accommodate a City approved infrastructure improvement.

Unless the tree is causing or has the potential to cause an immediate hazard, or is preventing the repair of an essential utility service or infrastructure improvements, the following notice procedure will be utilized prior to a tree removal:

1. The tree shall be inspected by a certified arborist and a written determination made that the tree needs to be removed.
2. City staff shall post the tree and issue notices to all property owners within 300 feet as well as the Council District office of the pending tree removal. The tree shall be removed if no appeals are filed within 10 working days of the tree posting.
3. If an appeal is submitted, it shall be heard by a Tree Committee designated by the Public Works Director.

In the cases where a significant number of trees on a block are designated for removal, the City will work with property owners on a staged removal plan.

For removals being requested by a property owner due to re-occurring utility damage caused by the tree, the property owner shall provide proof of such damage, verified with invoiced costs of repairs completed by a licensed contractor.

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**3.3 Tree / Hardscape Conflicts**

The following guidelines have been established for correcting potentially hazardous situations that result from tree roots disturbing nearby hardscape (sidewalks, curbs, etc.):

Hardscape damage on a public property may require patching with a temporary asphalt ramp to be followed by permanent repair of the area as funds become available. All reported offsets/deviations will be patched.

Hardscape damage on public property that creates a public safety hazard will be scheduled for repair, as funds are available. The following procedures for the removal of street trees as part of a street or sidewalk reconstruction project shall apply:

1. The tree shall be inspected by a certified arborist and a written determination made that the proposed street or sidewalk work cannot be accomplished as planned without permanent damage to the tree resulting in the tree becoming unstable or causing its demise, or the tree has significantly re-damaged a street or sidewalk repaired within the previous 36 months.
2. City staff shall make a determination that the proposed improvement plans cannot be altered to avoid tree removal (i.e.: sidewalk routed around the tree with an easement granted by the adjoining property owner).
3. City staff shall post the tree and issue notices to all property owners within 300 feet as well as the Council District office of the pending tree removal. The tree shall be removed if no appeals are filed within 10 working days of the tree posting.
4. If an appeal is submitted, it shall be heard by a Tree Committee designated by the Public Works Director.

**3.4 City Trees and Shrubs Damaging Private Property**

If private property damage occurs as a direct result of a City tree, the property owner is responsible for filing a claim for damages with the City. Claim forms for such damages are available from the City Clerk by calling (562) 570-6101 or by visiting their website (<https://www.longbeach.gov/cityclerk/services/claim-form/>). City staff will inspect and advise, upon request. If the damage is on private property and is not caused by a City-owned tree, the City is not responsible for damages or repairs.



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**3.5 Removal to Accommodate Private Construction Projects / Tree Removals at Property Owner's Expense**

Removal of a street tree at the property owner's expense may be considered if the property owner agrees to all the applicable conditions outlined below. Property owners wishing removal of a parkway tree shall request and complete an Arborist Inspection Request to Remove Street Tree(s).

1. The private construction plan is a City Approved Plan and it shows that the existing City (parkway) tree has a direct impact on the design and function of the proposed project. The City Approved Construction Plan must be submitted with the request to remove tree(s).
2. The property owner will pay all removal costs, including site cleanup, make any necessary repair of hardscape damage, and replace the tree. Single-family residences will be required to replant an approved 15-gallon tree, or larger (upon request), in an appropriate area of the parkway. All fees collected for tree replacement will be per the City's approved Master Fee Schedule, used solely for the enhancement of the urban forest program.

Any property other than a single-family residence will be required to plant an approved 36-inch boxed tree or larger in an appropriate area of the parkway as well as pay for the equivalent of one (1) 36-inch boxed tree to be planted elsewhere in the City. All fees collected for tree replacement will be per the City's approved Master Fee Schedule, used solely for the enhancement of the urban forest program.

3. The tree, stump and debris are to be removed by a City-approved, licensed, bonded, and insured contractor. If the sidewalk, curb and/or gutter or any infrastructure is damaged by the contractor while removing the tree (final conditions will be inspected by the City), the property owner agrees to have all damages repaired within forty-five (45) days after tree removal. If the property owner fails to make repairs, the property owner will be assessed the full value of the tree based on ISA standards. The property owner will be required to replant a tree if the parkway space is available. If the request is granted, the property owner will be required to do the following:
  - a. The property owner must complete all permits, provide a bond for completion, and secure a City-approved, licensed, bonded and insured contractor.
  - b. The property owner must notify the City Council District Office and any formally organized neighborhood association in writing, with a copy to the Department of Public Works, of their request to remove the tree.
  - c. The City will post the tree and issue 10-day notices to all property owners within 300 feet of the tree.

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Tree may be removed if no appeals are filed within 10 days of the tree removal posting and the Tree Removal Agreement has been approved and all fees have been paid.

### **3.6 Tree Removal Appeals**

The appeal of denied request to have a tree removed will be heard by a Tree Advisory Committee who makes recommendations to the Director of Public Works.

## **4.0 Tree Planting**

### **4.1 Guidelines**

The Public Works Department is responsible for all tree plantings in City parkways, medians, and in the public right-of-way. In an effort to restock and enhance the City's urban forest, the Public Works Department, subject to funding availability, will plant trees in areas where trees have been lost due to disease, age, weather, or infrastructure damage. The cooperation of adjacent property owners in care of newly planted trees will be encouraged.

To supplement City-funded tree replacement activity, the City will endeavor to work with neighborhood and non-profit organizations to obtain additional resources and coordinate neighborhood-planting efforts.

Trees to be planted shall be on the Approved Street Tree List (<https://www.longbeach.gov/globalassets/pw/media-library/documents/services/services/street-trees/approved-tree-list>) and must be appropriate for the specific planting site. No tree shall be planted closer than 25 feet to another tree unless a City Arborist has determined that a lesser distance will not impact the growth or health of the tree, or closer than 15 feet to any utility pole or light standard, or nearer than 5 feet to any fire hydrant, water meter, or gas meter, or closer than 20 feet to the curb radius centers of any street intersection. No tree shall be planted in a planting strip that is less than 30 inches in width between the sidewalk and curb, except upon the approval of the Director of Public Works. Since after five years a 15-gallon tree will be larger and healthier than a 24-inch or 36-inch boxed tree, the preferred tree size shall be 15-gallon.

If a property owner wishes to plant a tree on an adjacent parkway, they shall obtain a Permit to Plant Street Trees from the Public Works Department. The permit provides the means for the City to work with the property owner to insure that the proper tree is selected, planted in the appropriate location, and added to the City's tree inventory for future maintenance work. As part of the completion and approval of the permit, the property owner shall agree to bear all costs and liabilities associated with the planting(s) and ensure that any contractor used is licensed by the City. Property owners shall also be responsible for watering and fertilizing the tree to ensure its healthy growth. See section 14.28.010 of the LBMC for more details.

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Trees planted without a permit that are considered undesirable (not on the Approved Street Tree List) will result in the property owner being required to remove and replace the tree with a tree on the Approved Street Tree List. Failure to comply will result in the removal of the tree by the City, at the property owner's expense. See section 14.28.090 of the LBMC for more details.

### **4.2 Tree Replacement during Capital Improvement Program Projects**

PW estimates removing 300 street trees annually as part of the Capital Improvement Program (CIP). While the Department's previous policy did not require immediate tree replacement when removed as part of CIP projects, PW has begun implementing a one-to-one tree replacement requirement for CIP projects. The policy requires tree removal only if replacement is feasible without significant challenges. PW is incorporating this policy into the City's standard construction documents. While this will increase the cost of delivering projects, increases are anticipated to be minimal.

Removal of a public tree during a CIP Project will be funded by the project as allowable by the funding source. This includes site cleanup, any necessary repair of hardscape damage, and replacing the tree with a city-approved tree. If the project design cannot accommodate replacement of the tree, the project will pay for a tree to be planted elsewhere in the city, as allowable by the funding source. All fees collected for tree replacement will be placed in a designated Tree Fund, used solely for the enhancement of the urban forest program.

## **5.0 Private Trees**

### **5.1 Private Trees Obstructing Public Property**

Any tree, shrub, or plant located on private property infested with disease or insects which, in the opinion of the Director of Public Works, is infectious and may spread such disease or insects to other trees or shrubs in the City, shall constitute a public nuisance.

Any tree, shrub, or plant growing or standing on private property in such a manner that any portion interferes with utility poles, lines, wire, or electroliers lawfully erected or maintained along any public street or sidewalk, or restricts the flow of traffic or visibility of such street, sidewalk, or intersection, or any such tree which has become diseased or weakened in such a manner as to be dangerous to persons lawfully using the streets or sidewalks shall constitute a public nuisance.

The Director of Public Works shall cause notice to be served upon the property owner directing that the public nuisance be removed or abated within seven (7) days. If the public nuisance is not abated or removed within seven (7) days after notice is served, the Director is granted authority to direct Public Works employees to enter the property and spray, trim, prune, treat, or remove all or any part of the tree or shrub determined to be infested or to otherwise abate or cause to be abated

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the public nuisance. The Director shall determine the cost of the work performed by the City employees and bill the property owner the cost of the work performed.

### **5.2 Private Trees and Shrubs Damaging Public Property**

If a private tree, shrub, or other plant material causes damage to public property including sidewalks, curbs, gutters, streets, and alleys, repair of damaged areas is the responsibility of the abutting property owner. The property owner is required to obtain a Permit from the Public Works Department, prior to making any repairs. If the property owner fails to make proper repairs, the City, at the owner's expense, will make repairs.

## **6.0 Coastal Zone**

### **6.1 Requirements**

The California Coastal Commission approved Local Coastal Development Permit (LCDP) #21-015 authorizing tree maintenance activities within the local and appealable areas of the Coastal Zone, and Coastal Development Permit #5-08-187 (<https://documents.coastal.ca.gov/reports/2009/2/W23b-2-2009.pdf>) within the State area of the Coastal Zone.

A small portion of the City lays within the California Coastal Zone. The coastal zone in Long Beach is specifically defined in the *Map of Long Beach Trees in the Coastal Zone*, and subdivided into the City Jurisdiction, Appealable Area, and State Permit Jurisdiction. As defined by the California Coastal Act and U.S. Migratory Bird Treaty Act, this zone has restrictions on the City's tree maintenance policy related to bird activity and nesting habitat. All City crews and contractors working in the public right-of-way shall adhere to all City and State Coastal Zone requirements.

Prior to engaging in any tree maintenance activity, all City crews and contractors to be working in the public right-of-way within the Coastal Zone including, but not limited to, supervisors, arborists, and tree workers are to attend training on Coastal Zone compliant procedures led by the City.

Within the Coastal Zone, the trimming or removal of any tree shall be undertaken in compliance with all applicable codes or regulations of Local Coastal Development Permit #21-015, Coastal Development Permit #5-08-187, the California Coastal Act, California Department of Fish and Game, the U.S. Fish and Wildlife Service, and the U.S. Migratory Bird Treaty Act, and shall be conducted under the parameters described in this section. An annual monitoring report shall be made for all tree removals and replacements in the Coastal Zone.

### **6.2 Tree Trimming or Removal During Non-Breeding and Non-Nesting Season (October through December)**

Prior to the scheduled rotation of tree trimming (at the grid-level) during non-breeding and non-nesting season, a survey of active breeding and nesting activity

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shall be conducted during the nesting season. The survey shall be conducted by a qualified biologist or ornithologist. This breeding season survey shall be in addition to any surveys done during non-nesting season for that grid prior to tree trimming activity. The results of this survey shall be logged in a database of survey reports as record of breeding, roosting, and nesting trees. Trees or branches which have been documented to have been used for nesting or roosting anytime within the last five years shall not be trimmed or disturbed unless a health and safety danger exists.

Prior to any tree trimming or removal during the non-breeding and non-nesting season, defined as the period from October through December, a qualified biologist or ornithologist shall conduct a survey of trees scheduled to be trimmed or removed to detect any bird activity and submit a report to the City. All City crews and contractors shall not conduct any tree trimming or removal in the Coastal Zone until this report is provided to the City, and the City subsequently provides a Notice to Proceed.

Upon scheduling a grid to be trimmed, notices shall be posted on all affected trees prior to and during the trimming and include the contact information for a representative of the Department of Public Works or Department of Parks, Recreation, and Marine, as appropriate. For tree removals, notices shall be posted and issued to all property owners within 300 feet of the subject tree as well as the Council District office. Appeals may be filed within 10 working days of the tree posting.

After the Notice To Proceed is issued, conditions discovered while in the field and possible determination of bird activity may require complete demobilization or change of tree trimming operations at the City's direction. No Parking signs for tree trimming shall be posted on each tree 24 hours prior to trimming. Each sign shall contain, at a minimum, the following information: The date the tree is scheduled to be trimmed, the City Department authorizing the parking restriction, Name and phone number of the individual to contact with questions or concerns.

If a nest is found within a tree, all trimming activity shall cease within that tree and within 300 feet of the nest. A qualified biologist or ornithologist shall assess the situation and determine if the nest is active and provide recommendations accordingly. No further trimming shall take place within the tree with a nest and the database of nesting trees shall be updated to include the respective tree. The amount of trimming at any one time shall be limited to preserve the suitability of the nesting tree for breeding and/or nesting habitat. All tree trimming activities shall be in compliance with the tree pruning standards established by the American National Standards Institute (ANSI) recognized by the International Society of Arboriculture (ANSI A300 Part 1: Tree, Shrub, and other Woody Plant Maintenance – Standard Practices, Pruning.). Palm fronds shall not be trimmed above a horizontal plane parallel with the road.

In the event that any birds continue to occupy trees during the non-nesting season

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or any evidence of courtship exists, a qualified biologist or ornithologist shall assess the site and determine an appropriate buffer zone. No work shall take place in the buffer zone until courtship behavior has ceased.

**6.3 Tree Trimming or Removal During Breeding and Nesting Season (January through September)**

If tree trimming or removal activities cannot feasibly avoid the breeding season because a health and/or safety danger exists, the following guidelines must be followed:

A qualified biologist or ornithologist, to be contracted by the City, shall conduct a survey of trees scheduled to be trimmed or removed, to detect any bird activity or nesting behavior in or within 300 feet of the work area and submit a report to the City. A tree trimming or removal plan shall be prepared by the City. This plan shall include:

1. A description of how work will occur.
2. Work must be performed using non-mechanized hand tools to the maximum extent feasible.
3. Limits of tree trimming and/or removal shall be established in the field with flagging and stakes or construction fencing.
4. Steps shall be taken to ensure that tree trimming will be the minimum necessary to address the health and safety danger while avoiding or minimizing impacts to breeding and nesting birds and their habitat.

All tree trimming and tree removal shall be conducted in strict compliance with Local, State, and Federal policy. All trimmings must be removed from the site at the end of the business day and disposed of at an appropriate location. Any proposed change or deviation by City crews or contractors from the approved Notice To Proceed work plan must be submitted for review and approval by the Program Manager.

**6.4 Tree Removal in the Coastal Zone**

Prior to tree removal allowed under the Coastal Zone permits, Public Works shall provide documentation to the Department of Development Services to demonstrate compliance with all Conditions for Approval for the Coastal Zone permits. All documentation shall remain on file with Public Works and Development Services. The removal of any breeding or nesting tree shall require replacement at a 1:1 ratio, unless it was known have supported nesting, which would require replacement at a 2:1 ratio. All tree replacements shall follow the guidelines stated in LCDP #21-015.

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**6.5 Reporting**

Upon completion of a survey for breeding and nesting activity in the Coastal Zone, Public Works shall submit the report for the review of the Executive Director of the Coastal Commission, Director of the Department of Public Works, Director of the Department of Parks, Recreation, and Marine, and a representative of the Audubon Society. Reports will also be logged in a City-maintained database as a record of breeding, roosting, and nesting trees. Information from this database will be available to the public upon request.

Additional surveys of trees in the Coastal Zone may be done annually during nesting season by trained volunteers under the supervision of qualified person/s (biologist, ornithologist, or recognized bird watchers, i.e., representative from the Audubon Society). This information may be submitted as proof of nesting/roosting sites to the City for inclusion in the City's database. All volunteer reports of nesting activity must include time-stamped photos/videos which show nests, birds, and exact location of trees using City tree database numbering.

**6.6 Coastal Zone Nesting Reporting Form**

Public Works also has available a Nesting Reporting Form for individuals to submit reports of nesting/roosting activity in City-maintained trees. The City Arborist maintains the Public Works Nesting Database. To email or mail a report of a bird nest, complete the Coastal Zone Nesting Reporting Form ([Coastal Zone Nesting Reporting Form \(longbeach.gov\)](https://www.longbeach.gov/psb/street-operations/cc/policy/tree-maintenance-policy)) and follow submission guidelines. Information will be subject to verification by qualified person/s and a site visit could be required.

Approved:



Eric Lopez, Director of Public Works

7/24/23

Date