

DRAFT MINUTES OF REGULAR MEETING
Beautification & Natural Resources Commission

DATE & TIME: Tuesday, July 15, 2014, 4:00PM

LOCATION: Council Chambers

MEMBERS PRESENT: Jean Anton ©, Mary Flaig (VC, acting S), Thom Akeman, Frances Grate, Dolores Mollring

STAFF PRESENT: Laurel O'Halloran, Daniel Gho, Al Weisfuss

COUNCIL LIAISON: Casey Lucius

AGENDA

1. Call to Order

Anton (Chair) called meeting to order at 4:00 p.m. **Roll Call:** Commissioners Anton, Flaig, Akeman, Grate & Mollring present. Commissioners Terry & Thomas absent.

2. Approval of Agenda

Anton: Correction - **7A. b)** 12.30.101 should be 12.30.010

Akeman: motion to approve agenda, **Grate:** second. Agenda approved unanimously

3. Approval of Minutes

A. June 17, 2014

Anton June 17 meeting not digitally recorded.

Grate: motion to approve minutes **Akeman:** second. Minutes approved unanimously

4. Public Comment - none

5. Council Liaison Report

Casey Lucius: Plastic bag ban on 7/16/2014 city council agenda.

6. Public Acknowledgement

Anton: Barbara Thomas is missed & commission sends its best wishes to her for a full recovery & return to commission duties. Carolyn Cain for tending garden at Heritage Society Barn. Adopt-a-Highway clean-up effort, Highway 68. Friday 7AM.

7. Reports-Requiring Action

A. Update Tree Ordinance

Reference: Al Weisfuss

Discussion: BNRC members & Staff recommendations to update tree ordinance

a) New application process:

Al Weisfuss: Current ordinance doesn't require a permit if property owner intends to trim less than 25% of tree canopy, or branches less than 6" in diameter. Application could better serve the public if it allowed applicants to check a box indicating trimming less than 25% branch less than 6" Dead tree. Reduce unnecessary arborist visits to job sites for work that doesn't require a permit, & create a record of work that, while not requiring a permit, generates phone calls from members of the public attempting to verify the work is compliant. Better monitor all tree work, not just permitted work. No application fee.

Public Comment

Sally Moore: Ordinance requires the permit be posted 200' in each direction as well as on tree - even dead tree. Could that be done when the city arborist inspects job sites?

Al Weisfuss: Ordinance requires permit be posted "within" 200', not "at" 200'. Looks for nearest location on each side of job site not on private property. Understands the ordinance to require posting for "questionable" trees - still living but condition potentially matter of dispute. Posting intended to invite the public to express views. No requirement to post for dead trees, or work that involves less than 25% of canopy, or branches less than 6" in diameter.

Cosmo Bua: Proposed changes are an improvement. But what's being monitored by arborist is not work itself, but what he is told about work by applicant. We don't actually know what people are doing just because they send a form in. City should require photo showing area of tree applicant wishes to trim. Can attach to application. Help arborist verify that work requested was work done.

How often can trees be trimmed 25%? Annually? Every couple of years?

Al Weisfuss: Monitors trimming pretty well. Can't monitor everything. Even full-time arborist isn't able to monitor everything. Receives phone calls on personal time. Notifies park supervisor who notifies police dept., which then stops work if on weekends. 75% of time, when application is for trimming, meets w the contractor & property owner to discuss exactly what they intend. One contractor warned 3 times about 25% limit. Now required to meet w city arborist.

Trimming 25% within 12 months allowed. Recommends eventually restricting all trimming to "less than 25%". ISA standards: trimming 25% or more isn't beneficial to trees.

Commissioners

Frances Grate: Should application state "25% annually"?

Al Weisfuss: Application should be simple.

Thom Akeman: Reads ordinance way Sally Moore does re posting. Understands Al's point. Language could be clarified.

b) 12.30.010

Jean Anton: Commissioners suggested last month that language of ordinance be changed from "trees associated w development" to "trees affected by, or impacted by development."

Al Weisfuss: Current language protects everything on lot. Proposed language offers less protection. Trees not directly affected or impacted by development would no longer be subject to arborist's report or forest management plan.

Public Comment

Cosmo Bua: Trees not protected from development under ordinance as written. Trees are separated out & not protected. "Associated with" & "affected by" are different. Understands arborist wants to protect everything on property. Not reality now. Ex. 1255 Shell: two cypress trees were to be removed even though not impacted at all by development. Appeal of decision would not come to BNRC. Would have cost appellant ~\$1,000 & would have been heard by Planning Commission, ARB or city council. Discuss issue further. Trees lost this way - including a tree mentioned by Akeman previously that arborist recommended be retained & ARB voted to destroy.

Sally Moore: Member of the public commented last month it was OK to allow Planning Comm. or ARB to make these decisions. Award-winning house area of First St. & Central required to plant oak trees. Have not yet done so. Whoever the decision maker, enforce requirements.

Commissioners

Frances Grate: The commenter was a member of the Planning Comm. Felt it was a disservice to applicant to require multiple commissions in approval process. Language needs to be stronger. Agrees w Cosmo Bua. New ordinance has allowed bad things to happen. Further discussion would be helpful.

Thom Akeman: Believes language has always been "associated with". Not happy w it, but understands argument for not changing it to "impacted by". Anything that goes to ARB is a matter of public hearing. No appeal process necessary in order for public to object to tree removals. Intent of law was that there be a panel of residents to appeal to. Commission & board memberships change, persuasions change. As long as it can be brought to attention of ARB or Planning Commission, current process acceptable.

Dolores Mollring: Confident Al Weisfuss knows feeling of commission. He's listened to our discussions. But, ordinance needs to be clear so that future arborists understand intent of the commission.

Mary Flaig: As long as process allows public input, fulfills intent of ordinance. Commissions & boards meet monthly or twice a month. Projects delayed. Contributes to public perception development over-regulated in PG. Leave language as is.

Jean Anton: Committee will continue to work to clarify the intent.

Frances Grate: Having one commission deal w it is very good. But process of appealing decisions made by ARB & Planning Comm. very expensive. Language needs to be exact to avoid different interpretations. Ex. "Trees are primary & to be protected at all costs." Losing tree canopy. Trees have been made secondary to development.

Mary Flaig: Read file on 1255 Shell. Process thorough. Reasons for removal of two cypresses explained - not arbitrary decisions taken lightly. Former PG arborist Frank Ono wrote report.

Jean Anton: Been through process. Every hoop also a cost to the homeowner. Substantial fees attached. Should committee continue to work on language?

Frances Grate: Yes. It should read "Trees are primary."

Jean Anton: Bring desired text to next committee meeting.

c) 12.20.040 Pruning & removal of protected trees.

Al Weisfuss: First sentence would read, "A person who desires to move, remove, or trim a tree on any private parcel shall secure an application from the City." First sentence of paragraph 2 would include "qualified" after "designated" & before "representative". Requests clarification of intent of the next sentence: "The City Arborist may approve, deny, or conditionally approve the application, or may refer said application to the BNRC." Current language seems to require denial of the application before it can be heard by the BNRC. Can arborist refer the application to BNRC w/o denying it first?

Jean Anton: Optional - "or may refer...."

Public Comment - none

Jean Anton: summarizes changes

Thom Akeman: Re referral to BNRC, language is "may" so would be at arborist's discretion.

Frances Grate: How is language of new tree ordinance allowing abuse we're seeing? Not working as intended.

Jean Anton: Need to educate public, working w local media, inviting feedback.

Mary Flaig: (To Al Weisfuss) Ex. of situation where an arborist would refer applicant to BNRC, but make no decision?

Al Weisfuss: Right now denial creates opportunity to appeal it to BNRC. Trying to eliminate that step. But not sure it's possible.

Frances Grate: Re limits on property owners in Butterfly Zones be year round. Change would require those properties to get applications for any work, any time, as well?

Al Weisfuss: Correct.

d) Discussion of Landmark Trees

Al Weisfuss: Definition - tree that can be designated by owner, representative of the city, or committee. Tree that, because of its exceptional size, age, & condition, falls under own sub-category of protection. The Standards talk briefly about Landmark Trees, but don't clearly specify protections. Opportunity for a homeowner with a special tree to designate it to city as a Landmark Tree, adding a little more value to it under city's protection.

Jean Anton: How would Landmark Trees be selected? Only the homeowner? The city if it's on city property? Or can anyone nominate a tree on someone else's property?

Al Weisfuss: Looked at a lot of Landmark Tree ordinances. San Francisco has 6-page application. San Rafael's is a few pages, very simple. Property owners, BNRC commissioners, members of city council, or Landmark Tree advisory board could nominate trees. Criteria: type of tree, rarity of species, physical condition, age, form, & historical value. PG has historical sites & trees associated w buildings on those sites. Pine tree that was removed came off of a lot w a historical building on it. We don't know the history of that tree. Could have had some historical value. Wasn't researched. Landmark Trees would have greater protection from development.

Public Comment

Cosmo Bua: Very good idea. Will provide information on Landmark Tree committees & nominating processes. Application should be user-friendly. Shouldn't restrict who nominates. PG has many citizens not currently on boards or commissions who nonetheless know a great deal about local history & trees.

Commissioners

Dolores Mollring: Does Landmark Tree status remain when property is sold?

Jean Anton: Kind of question we'd need to resolve if we decide to create a Landmark Tree category.

Thom Akeman: Strongly favors the idea. There are special trees. Biggest issue is who decides. Property owner? Most significant trees in PG were trees John Steinbeck planted on 12th St. A few years ago family wanted to cut them down, & were allowed to. Three panels heard the issue & each decided by 4-3 votes to allow removals. There are no more trees in town planted by John Steinbeck. One of the trees was a healthy, beautiful pine. Nothing wrong w it. Roots growing into dirt floor of back shed. Believes nothing has been done about dirt floor since tree's removal.

Huge eucalyptus in median in front of Petra (restaurant) & the old laundry. Landmark row of cypress trees on 7th St. 3 years ago property owner, (Trimmer Hill), wanted to cut down to put in driveway & underground garage. Neighbors brought issue to ARB, which decided the trees are a "community value". Trees are still there. They need trimming.

So, question is who nominates? Who actually decides? Would it become like the Historic Resources Committee? Potential to become a whole new layer of government.

Frances Grate: Unsure whether worth pursuing. Many regulations already, given size of PG. Doesn't want to impose another one. Would rather reduce the diameter from 12" for non-protected trees to 8" or 9".

Mary Flaig: Monterey's Landmark Tree ordinance allows property owner veto power over a nomination. Further stipulates that trees designated as local landmark trees must be inspected by City Forester at least twice each year at no cost to property owner.

Photo in Herald Archives of Lady Bird Johnson planting tree in PG. Candidate for Landmark status.

Jean Anton: Committee will continue to work. Keep it simple.

Al Weisfuss: Nominations would not automatically result in Landmark designation. Would require a process & a commission or committee that would evaluate the nomination & decide based on certain criteria.

8. Reports - Information Only

A. Management Plan for the Monarch Sanctuary

Daniel Gho: Report in packet prepared by Dr. Weiss provides the basis for work Public Works will be doing in sanctuary. Preparation for arrival of over-wintering Monarchs. Clear debris from trail areas. Met w Dr. Weiss & Al Weisfuss in May. Dr. Weiss & Al Weisfuss met again in June to inspect the sanctuary & Washington Park. This report resulted fr that inspection. They recommend removing all trees w pitch canker & bark beetle. [p.2 1)] Only a few trees affected two years ago, now 6 or 7. Could be devastating to sanctuary if allowed to spread. 15 gal. Monterey Pines from locally grown seed will be planted. Drip irrigation system will be re-established & installed in some areas that currently have no irrigation. Verify irrigation system functioning well. Remove some dying under-story Pines in the NW section, Zone 2. Replant w 5 gallon Monterey Pines. Several dead branches hanging over main trail. Need to be trimmed. Blue Gums that were planted in the area near the kiosk were planted too closely together. Will create issues in long term.

Trees on the Butterfly Inn property w dying limbs that overhang sanctuary trail. City will need to work w property owner to address safety issues posed by limbs.

Washington Park, dead standing trees as well as fallen trees decomposing on the ground. Fire hazard. Contacted CALFIRE. Will do work next week. Public Works has cleared 20' buffer & knocked down tall grasses along Alder & Pine. CALFIRE crew: 17 people, \$200/day.

Public Comment

Sally Moore: Blue Gums that were planted too closely together have served a purpose. Butterflies did cluster in them. Believes the plan requires approval of Fish & Game.

Re Washington Park: If some grasses were removed, Pine trees would reseed themselves. Trees in park at David & Forest have done that because grass was hand-pulled.

Re sanctuary: Pine trees have re-seeded themselves in graveled areas. As they get bigger, could they be dug up & planted elsewhere to fill in where needed?

Kim Worrell: Spends a lot of time in Washington Park. Lived across the street from sanctuary 10 years. Concerned about small new pines in area that was shredded last year. Counted 62 in that area alone. Concerned about wildlife, especially ground-dwelling birds whose nests might be destroyed. Quite a few birders come to park. Has been told that there are some birds that can't be seen elsewhere. Has seen new trees sprout where fallen dead trees have decomposed. "Park" isn't accurate. It's a forest, & you don't landscape a forest.

Cosmo Bua: Agrees w Kim Worrell. Concerned seedlings will not survive. Expects them to be trampled. City, in conjunction w Al Saxe, spread a lot of mulch in Washington Park & quite a bit of it was spread right up against the trees.

If the Blue Gums must be removed, should be replanted.

Al Weisfuss: Willing to work w anyone who wants to help flag seedlings. Has done several walk-throughs w CALFIRE, Monterey Fire Dept., PG Parks Dept. supervisors, & w nearby residents. Very aware of concerns re seedlings, wildlife, native & non-native vegetation. Primary purpose is fire management. Large downed matter will be coming out. As much of it as possible will be chipped & put back into forest. Objective is to have natural seedlings generate in the area. Did not find as many seedlings as Kim Worrell did, but willing to meet w Kim so they can be flagged & monitored. Would like to remove downed trees that have been "logged" in years past & left to decompose. A habitat doesn't have trees that have been cut off & left looking like standing poles. A habitat tree would still have a dead canopy that would provide places for predatory birds. Cannot leave trees that are a danger to surrounding residents. So some of the tall, standing dead trees have to come out. Have to balance safety vs. habitat. Some of the logged wood that's been there a while will come out, those that fell naturally will remain. Thickets & poison oak will remain. Basically just doing fire & fuel management. Goal isn't preservation, but management. Preservation often understood to

mean leaving habitat undisturbed & not doing anything. A close look at 3 block stretch shows it's dying. How do we manage it so that the soil is restored & natives can come back in?

Re the grasses coming out: We don't allow fire to clear the understory & the non-native plants & diseased & dying plants, but a method used at Fort Ord: large articulating arm grinds everything to dirt. Manual way to "fracture" the canopy & open it up. Allows sunlight & moisture to reach forest floor. Not going to be aggressive. Objective is to protect the habitat, the seedlings, etc. Will be done in stages. First stage: fire & fuel mgmt, primarily around the perimeter. Downed trees in the center, some laying against other trees. Safety issue & need to come out. Some will line trails. Meandering trails all through park, impacting forest floor, trees & natural vegetation. Second stage: reforestation & replanting. CALFIRE will plant all the trees we want to plant. We have 300 seedlings in nursery & unlimited stock stores fr Asilomar State Park Forestry. Eventually decommission all meandering trails & establish good trail system, result will be clusters of trees as opposed to separate, individual trees here & there. 50 to 100 trees in clusters & stands could be planted, not only for wildlife habitat, but also to create a buffer for the small area that Monarchs cluster - an area that's losing upper canopy. Multi-stage program. Hopes the public will work w him.

Jean Anton: Item 10) b. field tour. Includes George Washington Park?

Daniel Gho: It could.

Jean Anton: Could be a way to get help w project. Willing to help.

AI Weisfuss: Resident is planting trees there now. Grateful for that. Could use help flagging seedlings.

Jean Anton: Could we schedule July 2014 field-tour? Need to do before CALFIRE comes?

AI Weisfuss: CALFIRE coming Monday, (7/21).

Daniel Gho: Received report late, only two months to do work. Could try to coordinate w Dr. Weiss for beginning of

August.

Jean Anton: With enough notice could have Cedar Street Times story announcing work & inviting public to participate. (To AI Weisfuss) A day you could train some helpers to flag seedlings?

AI Weisfuss: Can be done at any point - as long as not in CALFIRE work zone. Restrictions on who is associated w crew.

Thom Akeman: Available Thursday. More than one person planting trees in Washington Park. At least 6 neighbors planting & watering trees. At least 1300 trees planted in last 30 yrs, most planted 20 yrs ago by Eco-Corps. ~80 of those still standing. Most now intermediate trees. Last 8 yrs ~550 trees, not counting seedlings, new sprouts. Of those ~150 still standing. Watered 31 of those this a.m. w gray water fr home. Can point those out. Many seedlings planted last yr hopes of catching winter rains. Doesn't expect them to survive drought. Not watering. Watering only those w 3,4, 5 yr roots.

AI Weisfuss: Seeds that drop & establish themselves w/o human assistance preferred. If they're thriving w/o irrigation, best for them to not become dependent on being watered. When watering stops, often don't survive.

Thom Akeman: Not aware of any like that. These were propagated from pine cones gathered in Washington Park so seed is fr park. Pine cones warmed to release seeds, seeds then germinated in potting soil & planted.

Not sure work is legal. The Washington Park Management Plan: no mechanical equipment, & fallen logs stay. Basically a nature preserve. To adapt in the name of public safety, which was done in 2007 when an arborist wanted to take down 200 trees in Washington Park is a mistake. Objected at the time. Other arborists consulted, field trip. In the end, ~47 trees removed around the perimeter - dead Pines that could fall across power lines, or on passing cars, a few that could hit houses across the street. Trees in center that would hit other trees were left standing. Many down now, decomposing, creating soil. Doesn't know of any natural regeneration. Kim Worrell may. Who's going to water 300 new seedlings? Other plantings have failed for lack of subsequent watering.

Plan may violate George Washington Park Management Plan. Adopted by law, required approval of CA EPA. Cannot be ignored. Can be changed, but, cannot set aside.

AI Weisfuss: In agreement w everything said. Trees that look like they were part of a logging operation need to come out.

Thom Akeman: Where?

AI Weisfuss: East of the area around Dennett, where work started last year. Near Alder & Short?

Dolores Mollring: Agrees trees that seed themselves have a stronger tap root & will do better. What are arborist's views of inoculating young trees to prevent beetle that results in the canker? Injection treatments for trees that are starting to show signs of beetle infestation & canker.

AI Weisfuss: Pebble Beach Corp. inoculating trees a few years ago. Pretty successful. Doesn't know survival rate. Don't know what else inoculated trees might be susceptible to. Unintentionally creating a forest monoculture susceptible to something unknown to us today? Prefers collecting seed from strong healthy trees & propagating, then planting & let forest naturally reestablish it's own resistance to pitch canker. Problem: now an old growth forest & not much room for regeneration except what's being planted. A lot of non-native understory vegetation crowding out native vegetation. Canopy not fracturing fr a catastrophic event such as fire. Trying to get forest to regenerate w locally collected seed. Has collected seedlings from Asilomar Conference Grounds, & they've collected the seeds from trees not showing signs of pitch canker.

Jean Anton: Proposes a field-tour w AI Weisfuss Thursday, 9:00 AM at Alder & Short.

Dolores Mollring: Inoculation & injection for the Monarch Sanctuary?

AI Weisfuss: Insects are a secondary factor in death of a tree.

France Grate: Re Dr. Weiss's report. Takes issue w section of report entitled, **Recent History and Current Conditions**. Paragraph to be made part of the record:

In early October, 2009, the City did severe & illegal pruning (limbs up to 15" in diameter and illegal because it violated the City ordinance) on the tall mature Blue Gums along the south border of the Monarch Grove Sanctuary. This action created a big wind tunnel which deprived the arriving Monarch of places to hang on during the ensuing seasonal winds. That is a primary reason for the tiny number of Monarchs that 2009-2010 overwintering season (793 reported). Hundreds of Monarchs were found dead on the ground.

In January, 2010, Bob Pacelli designed a plan to partly mitigate the spaces of the pruned limbs with 24" boxed trees. He got the approval of the City staff and the Council, then financed the boxed trees with donations from Pacific Grove citizens.

"Pacelli's Potted Tree Plan" worked well. The Monarchs returned in increasing numbers the following seasons. In fact,

his plan is being copied in other damaged habitats elsewhere in the world.

Re trees placed in SE corner. Disagreement amongst Monarch experts re how to plant trees. Has seen eucalyptus trees & other trees growing together in groves. Strongest survive & others are pruned out. Those that were planted May of 2013 have attracted Monarch clusters. Became a political controversy, but shouldn't be removed. 2 already dead. Need all the help we can get for sanctuary. Trying to put together a replanting of euryops, (yellow daisies near kiosk). Trees provide mitigation toward welcoming the Monarchs.

Jean Anton: Not an action item.

Frances Grate: Does this go to council next?

Daniel Gho: Not necessary.

Frances Grate: According to covenants, a lot of these things should be going up to Fish & Game.

Daniel Gho: Will look into it. Made a note of Sally's comment.

Thom Akeman: Who has oversight of the sanctuary now? Does ad hoc committee set up yrs ago still exist?

Daniel Gho: Still exists. Difficult to convene members. Met once shortly after he joined PW. Unable to convene again since. Some members don't live in CA.

Thom Akeman: Why are they still on committee?

Daniel Gho: No idea. PW responsible for sanctuary.

Jean Anton: July 2014 field-tour presentation? Set a date? Notification in Cedar Street Times, but certainly notify BNRC & museum group.

Daniel Gho: Will try for early August. Won't do any work until after field-tour presentation, but will begin preliminary planning.

Jean Anton: Very helpful last yr when we went to George Washington Park. Helpful to actually see what we're discussing.

Daniel Gho: Cannot just stand by & let the sanctuary stagnate. Must be pro-active & constantly moving & treating it as a living organism. Doing nothing will not make us successful there.

9. Commissioners Reports

Mary Flaig: 6/27 Rainscapes. Poorly attended. Excellent information & presentations. Program rollout delayed. Waiting for funding so not advertising widely.

Thom Akeman: Not well publicized. Don't call it a "lecture". Good program, inept PR.

Laurel O'Halloran: Final aspect that hasn't yet received grant funding involves follow-up & monitoring. Making sure projects are completed.

Mary Flaig: *Trees in Paradise* in PG library. Also Carmel library.

Friends of the Carmel Forest: Botanist Matt Ritter presentation. Jean & Mary attended. Dr. Ritter's book: *The Trees Among Us*: our library & Carmel.

10. Items for next agenda

Frances Grate: Proposal to reduce 12" diameter, Tree Hazard sheet, posting.

Jean Anton: Will discuss how to map out issues.

Public Comment

Cosmo Bua: Was not possible to see proposed changes before meeting. Should have provided them to the public to allow time for consideration. Were available in writing to several commissioners. Public information. Requests it be made available to the public.

BNRC should discuss a budget. EDC about to request \$20,000, lead to believe they'll get. BNRC needs funding for efforts to encourage the public in ways discussed.

11. Adjournment

Thom Akeman: move to adjourn, **Frances Grate:** second, unanimously approved

Jean Anton: adjourned the meeting at 5:50 PM.

Beautification & Natural Resources Commission

DATE & TIME:

LOCATION:

MEMBERS PRESENT:

STAFF PRESENT:

COUNCIL LIAISON:

DRAFT MINUTES OF REGULAR MEETING

Beautification & Natural Resources Commission

DATE & TIME: Tuesday, August 19th, 2014, 4:00 P.M.

LOCATION: Council Chambers

MEMBERS PRESENT: Jean Anton, (C) Mary Flaig, (VC, acting S) Thom Akeman, Frances Grate, Kelly Terry, Dolores Mollring

STAFF PRESENT: Laurel O'Halloran, Daniel Gho, Al Weisfuss

COUNCIL LIAISON: Casey Lucius

AGENDA:

1. **CALL TO ORDER** (2:09) Chair Anton called the meeting to order at 4:00PM
2. **APPOINTMENT OF A NEW SECRETARY** Chair Anton announced the resignation of Commissioner Thomas with regrets and best wishes. Commissioner Flaig is appointed Secretary. Laurel O'Halloran introduced new Economic Development Director, Mark Brodeur
3. **APPROVAL OF MINUTES** (9:52)
 - a. Commissioner Grate: motion to approve, Commissioner Akeman: noted one correction, seconded the motion. Minutes approved unanimously.
4. **PUBLIC COMMENT** (11:31)

Cosmo Bua: Cannot open PDFs, requested that staff find remedy. Asked that a future agenda include the review of "Hazard Report". Liked Commissioner Thomas's minutes. Wants times noted on future minutes as suggested by Commissioner Flaig. Strongly opposes any charge for CD of digital recordings of meetings. Requests commission convey his gratitude to Barbara Thomas for her work.

Chair Anton: Unable to meet with the arborist re hazard report. Will include on future agenda.

Sally Moore: Monarch Sanctuary Plan is on 8/20/14 City Council agenda affirming Public Works and city arborist have authority over the sanctuary. California Fish and Game also must approve.

Re: Council agenda includes an item re updating city's software. Would like BNRC to request that meeting recordings be available on the web site. City has been removing backup information almost immediately, so audio recordings should be posted and available to the public.

Daniel Gho: Staff will be bringing the Monarch Sanctuary Plan to the council under agenda item, "Reports not requiring action." Purpose is to have the council reaffirm that no planting or landscaping activities will take place in the sanctuary without the approval of the Public Works director. And reaffirm that the city arborist has sole discretion over removal of diseased trees within the sanctuary.

Re the Department of Fish and Game: Has contacted them and sent them relevant documents. Requested a waiver on the basis that such activities are specifically designed and conducted for the purpose of restoration and/or enhancement of the overwintering Monarch Butterfly.

Lynn Mason: Attended a recent ARB meeting re mature trees to be cut down for a planned remodel on Shell Ave. Only one ARB member reviewed the site and saw the wide tree canopy that would be lost. No other members of the board expressed any interest in the trees that were to be removed. I'm amazed that the ARB, rather than the BNRC, is allowed to make such a decision when the focus of the ARB is clearly on the building plans.

Also, the owner of this lot is a new, has never lived with these trees. At the previous BNRC meeting she picked up a paper suggesting a moratorium on cutting down trees by new owners, and had thought it would be on the agenda today as part of the tree ordinance update. Regrets that it wasn't agendized.

Beautification & Natural Resources Commission

DATE & TIME:

LOCATION:

MEMBERS PRESENT:

STAFF PRESENT:

COUNCIL LIAISON:

Stephan Georis: Property owner on Lighthouse Ave. Requested help in determining who is responsible for a tree that is encroaching on some water meters. Has spoken to city arborist. Who is liable for the tree? Mr. Georis, the city? One of the meters is covered and needed to be abandoned. Any advice would be appreciated.

Dan Gho: Asked if Mr. Georis had contacted CalAm. Yes. Was told that CalAm is responsible for the meters. If the tree is on city property, the city is responsible for the tree.

Dan Gho: Will discuss with city arborist and street supervisor and get back to Mr. Georis. Took address of property (842 Lighthouse) and phone number of Mr. Georis.

Chair Anton: re previous comments that the BNRC should have a budget. That is not the practice of the city of Pacific Grove. None of the advisory commissions have budgets. BNRC will not pursue the issue further at this time.

5. COUNCIL LIAISON REPORT (20:50)

Councilmember Lucius: In addition to the sanctuary management plan, a second reading of the plastic bag ban ordinance will be on the council agenda along with a design and grant application for the coastal access plan. Re: Mrs. Moore's comment re city software update - the agenda item concerns financial software, not the city's in house service provider.

6. PUBLIC ACKNOWLEDGEMENT

Chair Anton: Thanked staff for turning the downtown tree lights back on. Also acknowledge Mr. Gho and Mr. Weisfuss for conducting the sanctuary tour on 8/5/14, and Mr. Weisfuss for the Washington Park tour earlier. Acknowledged Commissioner Flaig for agreeing to be commission secretary. Acknowledged Commissioner Thomas for all of her work on the commission, as well as her efforts in the Chautauqua Hall garden, the trees she purchased for planting and the many other ways she has contributed to the city. The commission will miss her.

7. REPORTS REQUIRING ACTION (23:11)

Commissioner Grate: Proposed changes to Tree Ordinance, Chapter 12.30 Trees and development

Public Comment Re: 12.30.010

Cosmo Bua: Protected trees are less protected when part of the planning process, which offers virtually no opportunity to appeal because of the tremendous expense involved. BNRC should be working to change this altogether. What's proposed here is that trees not be included in this process if not affected by development.

The city arborist is not required to be present when the development process is appealed. BNRC's responsibility is the preservation of trees.

Staff response:

Al Weisfuss: Important to include all trees on a property under development. Other municipalities, the county, all require that all trees on a property be included in the management plan. Process includes mapping trees, protection of the trees during development, and recommendations re any trees on the property. Failure to include all trees on the property would result in less protection. Current ordinance requires an on-site arborist to evaluate the trees, after which the city arborist reviews the management plan and makes recommendations to the planners. The city arborist is involved with all development plans. Process has been improved to indicate when a follow-up is required by the city arborist.

Laurel O'Halloran: The building official understands that a final building inspection cannot be performed until the arborist has inspected and verified all required tree re-plantings.

Beautification & Natural Resources Commission

DATE & TIME:

LOCATION:

MEMBERS PRESENT:

STAFF PRESENT:

COUNCIL LIAISON:

Al Weisfuss: Existing protections are adequate. Enforcement is difficult, and would be even for a full-time arborist, but the current process is integrating the work of the city arborist with the building officials to successfully manage the trees on site.

Change in wording emphasizing trees as a priority is not necessary.

Commissioners

Grate: new wording may be redundant but carries some weight. Should say “all trees” as opposed to “designated.” **Akeman:** will always support giving added protection to existing trees because one in the ground is certainly worth two in the planting stage. Sees no problem with emphasizing the new wording. The city’s practice on making trees a priority has been dismal, especially re development. **Kelly:** Supports changes. Can’t say it enough that trees are a priority. **Flaig:** Perhaps wording should be: “if a reasonable alternative design can be used.” **Grate:** “reasonable” can be manipulated. **Anton:** Not sure how to define 25% of tree. **Grate:** Perhaps second sentence doesn’t need to be included, but firmly committed to the first sentence.

Laurel O’Halloran: As a planner charged with implementation, thinks it will be difficult to discuss the “alternative design” because it leaves too much to interpretation. First sentence is acceptable, second allows too much discretion. Feels that the new process is improving. Staff is discussing trees with the developers.

Akeman: Suggests first sentence be “Preserving existing trees is a top priority.”

Grate: Motion to change Chapter 12.30.010 to read, “All permit applications for all trees associated with development shall be processed as a component of the community development permit application, and through the appropriate review authority for the project. Preservation of existing trees is a top priority in any development or remodel.” **Akeman:** seconded the motion. Approved unanimously.

Re: 12.20.020 Categories of Protected Trees (44:00)

Public Comment

Lynn Mason: Frances’ plan is beautiful.

Sally Moore: Concerned that it says “all private trees”. Development can be public as well. Would like it to include all trees whether on public or private property.

Cosmo Bua: Public trees should also be included. How long does it take oak trees to reach a foot in diameter? Given that oaks and other native trees are prioritized, limit should be 9” diameter.

Commissioners

Grate: Agrees it should apply to public as well as private. **Anton:** this section of ordinance applies to trees on private property. Trees on public property are dealt with separately.

Staff

Al Weisfuss: An oak reaches 12” in about 80 years and are protected at 6”. The majority of the trees that are approved or denied at the 12” diameter are non-native, aggressive trees. 12” is a good limit because it’s a tree that typically, by that stage, is visible at the roof line and visible from the street. Feels property owners need some leeway to make changes if tree was planted in the wrong place.

If ordinance is changed to 9”, would recommend that homeowner not be required to replace the tree as a condition of approval. Liquid Amber, Black Acacia, and Willow, for instance, reach 9” pretty quickly. **Chair Anton:** Trees that are protected at 6”? **Al Weisfuss:** Monterey Pine, Monterey Cypress, Coast Live Oak, Tory Pine, Gowen Cypress (only in Pebble Beach).

Commissioners

Beautification & Natural Resources Commission

DATE & TIME:

LOCATION:

MEMBERS PRESENT:

STAFF PRESENT:

COUNCIL LIAISON:

Grate: The loss of a 30' Acacia south of the sanctuary shortly after the new tree ordinance was passed prompted the proposed changes. No permit was required. A wind tunnel in the sanctuary was created. Prefers 9".

Flaig: Will not support change. Examined tree ordinances from various cities and found most regulate trees on private property lightly, relying on volunteer organizations to support and advocate for tree preservation. "Citizen support cannot be legislated into an ordinance." **Grate:** Believes there are more restrictive ordinances. We are rapidly losing our canopy, partially because mature trees are coming down. Reducing the size of protected trees will prevent incidents such as the acacia south of the sanctuary. **Anton:** BNRC recommended a 6" diameter to the council, which changed it to 12". Feels we're re-fighting the same battle and isn't sure the commission has the support of the council for this change. Defers to the arborist's judgement on this issue, and will not support. **Akeman:** BNRC discussed further restrictions on properties bordering the sanctuary. **Anton:** new application process should be addressing that. **Grate:** Should applicants be required to submit pictures? **Al Weisfuss:** No, site map is sufficient. **Mollring:** Supports the change after seeing Frances' visual aides. **Terry:** Concerned that a voluntary approach will be less effective given the large percentage of absentee property owners in PG. **Akeman:** Less concerned with non-native trees, but persuaded by Kelly Terry's argument.

Grate: Motion to change the diameter specified in Chapter 12.20.020 Categories of Protected Trees from 12" to 9". **Mollring:** second. Motion passes 4-2. **Anton and Flaig:** NO.

8. REPORTS - INFORMATION ONLY (1:07:00)

- a. **Downtown Beautification - Anton:** BID sponsored Public Art project. Butterflies to be decorated by interested citizens. **Terry:** shared photos of public art project in Bandon, OR. **Grate:** include the schools if possible.

Public Comment

Sally Moore: Public art on utility boxes would require approval by the utilities. Disappointed that the new way-finding signs don't feature butterflies. We are Butterfly Town USA and we're promoting the new butterfly pavilion, so our signs should have butterflies on them.

Commission

Mollring: the butterfly art could be hung on the parklets. Didn't grow up here, so doesn't share the attachment to butterflies. Feels the deer, which are here year-round, are enjoyed even more by visitors.

- b. **George Washington Park Clean Up - Dan Gho:** Short St. to Pine Ave. is completed. CalFIRE is scheduled for next week, contingent on fire fighting demands, to work from Pine Ave. south toward the baseball field.

Public Comment

Kim Worrell: The work done so far has taken a lot of underbrush that was nesting habitat for birds. Feels it was overdone and hopes that approach won't continue with the work that's about to be done.

Cosmo Bua: Shares Kim's concerns. There's a very rare orchid that's been sighted in George Washington Park. Will send Public Works info. **Grate:** Vern Yadin may know about.

- c. **Shoreline Trail Update - Dan Gho:** contract to Rana Creek Design approved by council for habitat restoration. CA Development Permit required from Coastal Commission. Biological assessment and archeological evaluation are in process. All CEQA documents have been submitted to the county. Once completed, will submit everything to the Coastal Commission and proceed with the project. It's a five year project. Begins where Rocky Shores trail link project ends and continues to Golf Course Dunes restoration project.
- d. **Perkins Park Update - Dan Gho:** Citizen complaints prompted renewed irrigation. Park will have a new sign stating the history of the park. Trails are being worked on. Parks District grant is funding current work.

Beautification & Natural Resources Commission

DATE & TIME:

LOCATION:

MEMBERS PRESENT:

STAFF PRESENT:

COUNCIL LIAISON:

Plant cuttings will be planted in areas damaged by gophers. HOPE Services will provide labor to eradicate weeds. Cost of watering is probably \$2.50-\$3.00/100 gallons. Potable water.

Public Comment

Cosmo Bua: Question: could the city put some signs warning people not to sit in the iceplant? **Dan Gho:** would need permission from Coastal Commission for signs. **Akeman:** City had no role in the park until 20 yrs ago. Signs disappear. When Asilomar restored the dunes, a city committee assessed coastline for similar effort, but ice plant was issue then. Effort abandoned.

9. COMMISSION REPORTS (1:34:15)

Akeman: CA Coastal Commission issued the city of San Diego a 5-month permit to close a beach to protect seal pups. Good precedent for PG. The commission cited the CA Coastal Act. Harbor seal pups are clearly a fragile coastal resource and draw a lot of visitors to the coast, so they've become of form of coastal recreation.

Question about sanctuary ad-hoc committee. Should we agendize?

Flaig: Could Laurel look into providing the library with a copy of the Washington Park Management Plan.
Answer: yes.

Grate: Thanked Dan Gho for including neighboring properties in the sanctuary tour and for consulting Fish and Wildlife.

10. ITEMS FOR NEXT AGENDA (1:44:00)

Mollring: requested a printed copy of tree report with her agenda.

Grate: would like to discuss the "tree hazard" form. "Hazard" triggers liability concerns. Needs to be tweaked to be specific to PG. Also, moratorium on tree removal when property ownership changes.

Anton: need to replace Barbara Thomas on Monarch Sanctuary subcommittee. Update on work at Lovers Point from Dan Gho.

Dan Gho: Appeal of permit denial for removal of a Monterey Pine at 1253 Seaview.

11. ADJOURNMENT (1:52:34) Meeting adjourned at 5:53PM.

(Note: numbers in parentheses to the right of agenda items indicates times each item occurs on the meeting audiofile.)

Respectfully submitted,

Mary Flaig, Secretary