Redwood Tree Appeal Letter:
Permit TR23-0089
Keelan Franzen and Annika Mancini
340 Chestnut Street
831-454-6123

To the City Council,

Firstly, we want to thank you greatly for the opportunity provided to research mitigation solutions for the preservation of this sequoia sempervirens. We have learned so much in these past 90 days, and hope to continue learning more. After 3 months of researching, speaking with professionals, and the community, we have come to the conclusion that there are extensive mitigation opportunities available, in order to preserve the existing redwood tree, protect the foundation, and amend the sidewalk.

After thorough review of the supporting documents submitted by the Parks and Recreation, Jodi Collins, and Don Cox, we have a few thoughts we wanted to detail, in addition to defining our reports that we've separately collected. Please reference our report documents in their entirety, as they are simplified here.

Parks and Recreation, Potential mitigation measures and Agenda Report Details:

On September 26th, 2023, the council motioned to "Direct staff to conduct additional analysis and explore alternatives to tree removal, and to return to Council with potential mitigation measures, a cost estimate for sidewalk repair, and possible budget adjustment." Presumably, the Agenda Report submitted by Parks and Recreation was the response to this motion.

Unfortunately, the Agenda Report seems to be lacking the desired collection of mitigation data that was motioned during the meeting on September 26th, 2023. As the Agenda Report states: "There is no way to mitigate this property damage." You'll note in this letter there are indeed ways to mitigate the damage, while saving the tree, options that were not explored by the Parks and Recreation department.

The findings that the Agenda Report details are based on reports done by three separate professionals. It utilizes the initial report done by the Urban Forester, Leslie Keedy, initial and secondary reports done by Professional Engineer Jodi Collins, as well as the initial and secondary report done by Consulting Arborist Don Cox, the latter two being hired by Santa Cruz Property Management. After a thorough reading of the

Agenda Report, we found that it does not seem to detail any other independent opinions, except that of the professionals specifically hired by Santa Cruz Property Management, and the initial report by Leslie Keedy.

Unfortunately, these reports easily hold implicit bias, as three of them were done **before** the motion was made (without clear intent of finding mitigation measures). The next two were done by professionals hired by Santa Cruz Property Management, not independently/city hired professionals. It is our belief that these reports do not aim to support mitigation measures, or to provide full, well rounded data collection in regards to exploring the preservation of this redwood tree.

In fact, none of these reports even touch on possible mitigation measures, nor were the professionals asked to do so. Don Cox states in his report that his assignment was to "Excavate soil with air-spade, between tree root crown and brick siding of apartment building as best possible, in order to inspect points of contact", not to explore mitigation measures, but only points of contact. Jodi Collins' report states the property management requested information regarding "... [exploring] replacing the foundation–if possible as proposed by the appellant, while keeping the existing footprint with discussion of associated cost if possible, to do this and draft a letter stating facts **that there is no way to keep the building the same size and build alternative foundation types that could be used to protect the building from the growth of the tree as it grows bigger**". To reiterate; the property management specifically **requested** the engineer to state that there is **no way** to find any possible mitigation measures.

Utilizing the reports written by Jodi Collins and Don Cox as legitimate sources of mitigation data in the Parks and Recreation Agenda Report goes against the motion to analyze and explore alternatives to tree removal, and in fact is utilizing clearly biased reports leaning **towards** the removal of the tree. The reports collected by Santa Cruz Property Management and referenced in the Agenda Report deem mitigation "unavoidable" (Don Cox report, 5.30.23) and "unreasonable" (Jodi Collins report, 12.13.23). The Agenda Report claims, "There is no reasonable mitigation option to save the tree or prevent ongoing damage to the structural integrity of the building" but it seems as though the motion to analyze and explore alternatives was not even attempted.

Additionally, the Agenda Report leaves out imperative information from Don Cox in his secondary report. After Don Cox was requested to collect more information, he did so with an "air-spade" technique. The Agenda Report notes that Mr. Cox says there is definitive contact of the tree with the wall and states that "It is clear from this additional Arborist review that the redwood tree's root system is the cause of the damage to the

building". What the Agenda Report fails to mention, is that in Don Cox's report, he specifically states, "The air-spade excavation was a **poorly advised method for any conclusive inspection**, due to the limitations of the equipment and the site characteristics. Further exploration would need to be done possibly with Ground Penetrating Radar." The Agenda Report misrepresents the data collection from the "air-spade", as Mr. Cox himself mitigates the conclusiveness of his own technique and states further investigation is required to confirm his assumptions.

Cost estimate for sidewalk repair:

As the motion asked, Public Works explored options of the sidewalk repair and has estimated this repair at $127,904.02. Though we value this estimate, we think it is important to mention that alternative methods of repair were sorely overlooked. With the preservation of the tree, the roots will indeed continue to grow. As noted by our arborist, root pruning/shaving is a possibility to mitigate the damage. Because of the root growth, Public Works should have explored the possibility of better suited materials to take into consideration, with the prospect of continued root expansion.

In the report written by our arborist, James P. Allen, as well as in "Sidewalk and Roots: Mitigating the Conflict—An Overview" by Gordon Mann, sent in with our reports, there are listed many other materials that would be better suited than cement. Many of these materials are ADA compliant, and would provide opportunity for easy, inexpensive root pruning/shaving and easy replacement of material. Additionally, Cole Rodgers of Cole Carpentry and Landscape Design, and wheelchair user, wrote a quick report for us detailing the possibility of an ADA compliant boardwalk, a cheaper and easier to amend (in the case of root growth) alternative to cement. None of these materials were mentioned, or explored in the Agenda Report, but would be necessary to utilize if the tree were preserved in order to save money and time, in the future.

Sewer main:

The mention of the sewer main in the Agenda Report is certainly of concern, but gives the opportunity to replace the sewer line with root barriers, as detailed in Tino's Plumbing estimate "...new line will connect with existing line with reinforced hub connections to prevent further root intrusion". This maintenance would have needed to be done regardless, and it should be completed in a way that protects the newly replaced line from future root growth.

Possible budget adjustments:

The last detail in the motion by the council asked for “possible budget adjustment,” presumably to aid in the expenses of foundation and sidewalk amending. Unfortunately, the Agenda Report fails to mention this aspect, and in fact states, “**FISCAL IMPACT:** None.” The Public Works department did not list the possibility of finding space in their budget to support the financial endeavors of pursuing mitigation measures, although it was asked of them.

The City of Santa Cruz was granted $1 million in funding through the USDA Forest Service Urban and Community Forestry Inflation Reduction Act Grant Program. Alex Padilla notes “As extreme temperatures…threaten the safety of workers and communities all across California, expanding access to shade and green spaces is more important than ever,” and that these critical grants “...will promote tree planting and **maintenance** and improve equitable access to greenery in urban neighborhoods.” Planting trees, and providing maintenance for existing trees, especially ones of this size, seems to be what this grant was expected to do. It could be an opportunity to allocate funds towards the preservation of this redwood tree.

In our fundraising efforts we raised over $4,300 of donations in the past 3 months, and were granted $1,300 from the local Sierra Club chapter. This truly was only the tip of the iceberg, as our outreach was limited due to our work schedule. Even with limited outreach, the community provided, and indeed **wanted** to provide. If there was the ability for people to donate funds philanthropically, we could support the property owners in mitigation efforts in a more substantial way. The city should want to provide that support, in order to encourage people to save their trees. Whether through public works budgeting, grants, other public funding, or philanthropy, we know there are possibilities. Our Go Fund Me contains $2,950 that we would like to donate towards construction costs.

Thoughts, Discussion, and Individual Reports:

After thoroughly reading all aforementioned reports from the city and Santa Cruz Property Management, we feel confident in stating that the motion to “Direct staff to conduct additional analysis and explore alternatives to tree removal, and to return to Council with potential mitigation measures, a cost estimate for sidewalk repair, and possible budget adjustment” was not sufficiently completed. We attempted to complete this motion to the best of our ability, considering our limited access. Our individual reports outline mitigation measures, alternative sidewalk materials, and note that pursuing this project is indeed possible.

Individual reports collected by Keelan Franzen and Annika Mancini:

As noted via email, the property owners declined to offer permission to access the premises. There was a question by Mary Barter (one of multiple property owners) via email where she stated: "...your activities: bringing photographers, creating social media, newspaper article, soliciting the Sierra Club, etc. etc., One has to wonder what it's all for." We would like to clarify what it is all for. It is for the tree, for all it provides, it is for us and our future generations (our children and their children!), and it is for **you**, Mary, so we can help with the financial burden we know you didn't ask for. We have loved and appreciated the community members that have reached out to us (yes, the newspaper and the Sierra Club!), and getting to experience the reality of a community that cares.

To move on and address the real issue: Though our reports are formulated without full building access, they are deemed by our professionals to be considered very viable mitigation options. Please read these reports in their entirety, and note them as legitimate, individually hired professional reports, aimed at completing the motion made by the city council on September 26th, 2023.

Professional Engineering Report:
Our structural engineer, David Bolger of Cascadia Engineering, lists in detail, mitigation strategies that are:

- Pier and grade beam system
- Cantilever floor system
- Retaining wall system

Additionally, Dave mentions the necessity for a wide scope of team members: "The various perspectives that each team member would bring to the discussion would shed light on which… of the above options are feasible and/or most appropriate for the situation. I also would anticipate such a group generating ideas not outlined here for further consideration, as often happens in conventional projects." This is what the motion asked for: additional analysis and exploration of alternatives to tree removal with potential mitigation measures.

Arborist Reports:

Both Arborists we've received reports from, Monika Buczko, Consulting Master Arborist, and James P Allen, Consulting Arborist, have noted the position that there are mitigation options that have not been explored by the current reports.

Monika Buczko's report states, "When considering removing any trees, thorough steps should take place to develop alternative solutions and consider the benefits that trees provide…..It is my opinion, within a reasonable degree of arboricultural certainty, that not all options and explorations have been utilized and/or analyzed. To make a decision whether the redwood removal is reasonable; further testing, data collection and analysis as mentioned in this report are necessary. Collaboration between an engineer and an arborist is crucial."

James P Allen's report says " After my brief inspection of the site and review of the documents provided, it is my professional opinion that the removal of the subject coast redwood tree is not only unnecessary but unwarranted. Mitigation of the current damage observed by others is readily achievable. The potential for future damage to the building foundation, sewer line and sidewalk can be diminished through the implementation of preventive measures."

Conclusion:

The professional reports collected by the appellant (Keelan Franzen), successfully found mitigation measures that should be taken into consideration, and implemented with the preservation of the redwood tree.

The desired final effect of this letter is to outline the fact that this motion to proceed was not thoroughly and ethically explored by the Parks and Recreation Department, nor by the property management. For the Agenda Report to effectively explore mitigation options, there should have been unbiased, independently hired professionals, explicitly given the task of finding solutions, which was not actualized in the Agenda Report, Don Cox's reports, or Jodi Collins reports. The unfortunate reality is that time and resources have gone to waste in the last 3 months in the collection of "data" for this meeting, which was indeed, just to set it up for failure.

Please note, our professional reports and mitigation measures demonstrate that proceeding with the protection of this redwood tree **truly** is possible.

Thank you,

Keelan Franzen and Annika Mancini