

Big-tree advocates file suit

Heritage tree supporters want city to perform environmental review of new rules for removal

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SANTA CRUZ — An advocacy group filed a lawsuit Friday against the city of Santa Cruz, seeking to block recent provisions allowing the removal of heritage trees that are non-native or pose an economic hardship to property owners.

Save Our Big Trees, which argues the rule changes approved by the City Council would encourage the felling of more trees, argues

the city should have conducted a full review of impacts as outlined in the state's landmark environmental law.

"While the city's elected officials may ultimately have the power to loosen the rules protecting heritage trees, it must do so in compliance with the California Environmental Quality Act and analyze the impact of their decision so that they and the public know the consequences of their actions," said Ryan Moroney, attorney for Save Our Big Trees.

Moroney, a lawyer with the Santa Cruz firm Witter Parkin, added, "The city's 'shoot first and ask questions later' approach here is precisely what CEQA was enacted to prevent."

City Manager Martín Bernal said Friday he had yet to read the suit and City Attorney John Barisone was unavailable.

The council postponed the suggested changes in July after Moroney sent a last-

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minute letter objecting to the lack of environmental review. After the city's environmental attorney advised that a full analysis wasn't required, the council approved the changes Oct. 22 on a vote of 4-2.

The provisions are set to go into effect Nov. 23.

Even if the city ultimately determined greater flexibility in the ordinance was needed, Bernal said city leaders tried to work with Save Our Big Trees.

"The City Council and staff took their concerns very, very seriously," he said.

Passed in 1994, the Heritage Tree Ordinance safeguards trees that are 44 inches in circumference, as measured 54 inches from the ground, or those that have historic or aesthetic significance.

Yet, the vast majority of applications made by property owners to remove heritage trees are granted, with more than 4,000 taken out since the ordinance was established. Trees can be removed if they pose a public safety risk or are in poor health, and the new allowances provide for health

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GILLIAN GREENSITE, Save Our Big Trees member

risks, such as allergies, and fire risk posed by non-native blue gum eucalyptus and acacia.

Save Our Big Trees supporters say the flammability of the non-native species has been overstated, and argues that if the city is creating greater leeway to take out trees, the impact on wildlife and carbon sequestration should be studied.

"To be clear, Save Our Big Trees supports the democratic process and environmental review is the heart of that democratic process," member Gillian Greensite said.

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